

SENATE

TUESDAY, MARCH 21, 1944

(Legislative day of Monday, February 7, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Edwin T. Dahlberg, D. D., minister, First Baptist Church, Syracuse, N. Y., offered the following prayer:

Almighty and Eternal God, we thank Thee that Thou hast given to us the privilege of living today another 24 hours in Thy beautiful world, a world so beautiful that sometimes we feel that we can reach out our hands and touch Thy face, but a world so sinful that it stoned the prophets and crucified our blessed Lord. Because one day in Thy sight can be as a thousand years, we pray Thee that before the sun goes down this day Thou wilt advance us centuries of time toward the goals and objectives of the kingdom of God, and hasten the day when the kingdoms of this world shall become the kingdom of our Lord and of His Christ.

While we pray for all mankind, we pray most of all for that dear part of the earth that we call our native land. Whether it be the President in the White House or the wounded soldier on the battlefield thinking of the little house beneath the elms where he was born, gather all Thy children, we pray Thee, into the fold of Thine embrace. Establish our churches, we beseech Thee, in Christian faith and freedom, our schools in truth and learning, our industries in righteousness of relationship between capital and labor, our homes in tranquillity and affection, our statesmanship in wisdom and integrity.

Bless these Thy servants of the United States Senate, O God. May their judgments be true and righteous altogether; and speed the day when the oceans that wash the shores of our land shall make a sweeter music than before—the music of ships turning again home; of nations whose warfare is accomplished, and of Thine own voice within our souls saying, "Comfort ye, comfort ye, my people, saith your God."

We ask it through Jesus Christ. Amen.

THE JOURNAL

On request of Mr. McKELLAR, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 20, 1944, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Bone	Capper
Andrews	Brewster	Clark, Idaho
Austin	Brooks	Clark, Mo.
Bailey	Buck	Connally
Ball	Burton	Danaher
Bankhead	Bushfield	Davis
Barkley	Byrd	Downey

Eastland	McClellan	Thomas, Utah
Ellender	McFarland	Truman
Ferguson	McKellar	Tunnell
George	Maybank	Tydings
Gerry	Millikin	Vandenberg
Gillette	Murray	Walsh, Mass.
Green	O'Mahoney	Walsh, N. J.
Guffey	Overton	Weeks
Hawkes	Radcliffe	Wheeler
Hayden	Revercomb	Wherry
Hill	Robertson	White
Holman	Russell	Wiley
Kilgore	Shipstead	Willis
La Follette	Stewart	Wilson
Langer	Taft	
McCarran	Thomas, Idaho	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] are absent on official business.

The Senator from Mississippi [Mr. BILEO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS] are detained on public business.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] is leaving for New Mexico tonight and is transacting business in Government departments.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The VICE PRESIDENT. Sixty-seven Senators have answered to their names. A quorum is present.

SPECIAL COMMITTEES ON CONSERVATION OF WILDLIFE RESOURCES AND POST-WAR ECONOMIC POLICY AND PLANNING

The VICE PRESIDENT. The Chair appoints the Senator from North Dakota [Mr. NYE] and the Senator from Michigan [Mr. FERGUSON] as members of the Special Committee on Conservation of Wildlife Resources, to fill the existing vacancies thereon; and also appoints the Senator from New Jersey [Mr. HAWKES] as a member of the Special Committee on Post-War Economic Policy and Planning, to fill the vacancy created by the death of Hon. Charles L. McNary, late a Senator from the State of Oregon.

JOINT RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND—EXTENSION OF TIME FOR FILING INCOME-TAX RETURNS

Mr. GREEN presented a joint resolution of the General Assembly of Rhode Island, which was referred to the Committee on Finance, as follows:

House Joint Resolution 826

Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States, the Commissioner of Internal Revenue, and the Collector of Internal Revenue for the State of Rhode Island, to move to institute an extension of time until the 1st of April 1944, for the filing of income-tax forms

Whereas there are now available a limited number of tax experts and advisers and the number of persons from Rhode Island required to file income-tax returns has greatly increased this present year; and

Whereas an extension of the date for the filing of income-tax forms would be beneficial to the filer and to the Federal employees who are now greatly overtaxed with the monument of business: Now, therefore, be it

Resolved, That the final filing date for the year 1944 of income-tax forms be advanced to the 1st of April 1944, and the Senators and Representatives from Rhode Island in the Congress of the United States, the Commissioner of Internal Revenue, and the collector of internal revenue for the State of Rhode Island are hereby urgently requested to give this matter immediate attention to expedite this requested action; and be it, further

Resolved, That duly certified copies of this resolution be transmitted by the secretary of State to the Senators and Representatives from Rhode Island in the Congress of the United States, to the Commissioner of Internal Revenue, and to the Collector of Internal Revenue for the State of Rhode Island.

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—PETITION

Mr. CAPPER. Mr. President, I have received a petition from members of the churches of Mitchell County, Kans. I ask that the petition calling for the passage of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, be appropriately referred and printed in the RECORD without all the signatures attached.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD without all the signatures attached, as follows:

Whereas there are millions of people in the world hungry for bread; and

Whereas there are millions of lives being cursed by alcoholic beverages; and

Whereas the conservation of all energy, the best intelligence, clear reasoning, and righteousness are needed in this time of crisis: Therefore be it

Resolved, That we recommend to the Congress and the President of the United States of America, that legislation be enacted immediately diverting all grains and fruits now used for the manufacture of all distilled, fermented, and malt beverages to the manufacture of bread and the preserving of fruit juices for food, and convert all plants now used for the manufacture of liquors and malt beverages to the manufacture of materials for the good of man and not for the curse of man, with adequate provisions for the

compensation of the owners of such plants and the enforcement of such legislation; further be it

Resolved, That an immediate passage of the Senate bill No. 860 be enacted.

The undersigned members of the churches of Walnut Township, Mitchell County, Kans., heartily endorse the above resolution: Rev. Ludlow Corbin, Northbranch, Kans.; Mrs. Ruth Corbin, Northbranch, Kans.; Roy W. Clark, Northbranch, Kans., and sundry other citizens of Mitchell County, Kans.

DEFERMENTS IN ESSENTIAL INDUSTRY— PETITION RELATING TO FARM LABOR

Mr. WHERRY. Mr. President, much has been said in the last few days relative to deferments in essential industry. In the press of yesterday there was a statement from the Director of Rubber Production. It will be impossible to take from his department men who are needed there and at the same time enable the department to maintain rubber production.

We have also heard the statement of other directors of war production that in the drive being made to take men between 18 and 26 years of age, if we wish to have full production we must proceed with care.

I should like to call attention to the fact that in my State there is a large farming industry. Eighty percent of our industry in Nebraska is farming. Farmers are very apprehensive of whether or not they will have the necessary labor to harvest the crops which are now being planted. All of us believe there should be taken every available man who can be spared, of course, for the military service, as has been requested by the Commander in Chief and by General Hershey. However, at the same time, we wish to call the attention of the Members of the Senate, and of the public generally, to the fact that to take irreplaceable men out of the farming industry will be to rob an essential industry of its ability to produce food. Food is just as necessary in the war effort as are munitions or machines which are used at the front line.

Mr. President, I ask unanimous consent to have printed in the *Record* and appropriately referred a petition which came to me from a number of farmers of Richardson County, Nebr., and which sets out in detail the allegations which confirm the statements I have just made. I think the petition will be of information to the Members of the Senate.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the *Record*, as follows:

We the undersigned farmers actively engaged in the occupation of agriculture in Richardson County, Nebr., do hereby urgently petition our United States Senators to make an intercession for us to protest and seek the repeal of the recent order which will take from the farms all men between the ages of 18 and 26 years of age, for the following reasons:

1. A most pronounced shortage of farm workers already exists upon the farms in the agricultural areas of the Middle West.

2. Agriculture has already been asked to produce more crops and livestock in the year of 1944 to feed the United States and her allies, and we as farmers certainly cannot be expected to produce more with less help.

3. That the farms have already been virtually stripped of any men that could be sacrificed.

4. That it is virtually impossible to secure farm machinery at the present time to replace that which is constantly wearing out, and therefore every worker on the farm is urgently needed to assist in the present crop season.

5. That the continued drafting of farm labor in the past resulted in such a catastrophe that the Government itself took the initiative and deferred farm workers, and if any other farm workers are taken from farms that have yielded up all the men that they could sacrifice in the past a definite and pronounced crisis will result upon the farms in the Middle West.

6. That with the present crop season approaching, this certainly is the most illogical time to attempt to drain the farms of these workers that are attempting to care for the coming crop.

7. That food is realized as being as important to the war effort as bullets themselves and unless a bumper crop of livestock and crops are produced in the year of 1944 a serious food shortage will inevitably result, which will prolong the war, rather than shorten it.

Lloyd Sailors, John H. Buchholz, Cleon Sailors, Roy C. Davis, Lee Roy Slagle, Delbert Howard, Jim Bowers, John Sailors, Ervin Powell, Elmer Shafer, John I. Koso, Earl E. Clark, Perry Palmer, John Knobbe, Arthur Kirkendall, Melvin H. Martin, Lloyd Birdsley, L. F. Palmer.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 1708. A bill to amend section 12 of the Pay Readjustment Act of June 16, 1942, relating to travel allowances; without amendment (Rept. No. 756);

S. 1714. A bill to reimburse certain Coast and Geodetic Survey and Marine Corps personnel for personal property lost or damaged as the result of a fire at the marine barracks, Quantico, Va., on December 16, 1943; without amendment (Rept. No. 757);

S. 1720. A bill to vest title to the U. S. S. *Wolverine* (ex-Michigan) in the Foundation for the Original United States Ship Michigan, Inc.; without amendment (Rept. No. 758);

S. 1741. A bill to provide for the reimbursement of certain Navy and civilian personnel for personal property lost as the result of a fire in hangar V-3 at the naval air station, Norfolk, Va., on November 12, 1942; without amendment (Rept. No. 759);

S. 1771. A bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; without amendment (Rept. No. 760);

S. 1772. A bill to authorize Lewis Hobart Kenney, Charles Garner, Charles Clement Goodman, and Henry Charles Robinson to accept decorations and orders tendered them by the Government of the United States of Brazil; without amendment (Rept. No. 761);

H. R. 2337. A bill for the relief of John Joseph Defeo; without amendment (Rept. No. 762); and

H. R. 3247. A bill for the relief of Joseph Langhorne Walker; without amendment (Rept. No. 763).

By Mr. BILBO, from the Committee on the District of Columbia:

S. 1757. A bill to amend an act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia"; with amendments (Rept. No. 764).

By Mr. BARKLEY, from the Committee on the Library:

S. Con. Res. 39. Concurrent resolution to provide for appropriate commemoration of the Centennial of the Telegraph on May 24, 1944; without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

ENROLLED BILL PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on March 20, 1944, that committee presented to the President of the United States the enrolled bill (S. 1285) to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and to amend the act of September 16, 1942, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TAFT:

S. 1799. A bill to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil service status under such act; to the Committee on Civil Service.

By Mr. WALSH of Massachusetts:

S. 1800. A bill to authorize and direct the sale of Moore Air Field; and

S. 1801. A bill to authorize the Secretary of the Navy to convey to the Virginian Railway Co., a corporation, for railroad yard enlargement purposes, a parcel of land of the Camp Allen Reservation at Norfolk, Va.; to the Committee on Naval Affairs.

SOCIAL SECURITY—ADDRESS BY SENATOR MURRAY

[Mr. MURRAY asked and obtained leave to have printed in the *Record* an address on social security delivered by him before the United Automobile Workers, at Detroit, Mich., March 10, 1944, which appears in the Appendix.]

THE NATION'S NEED: EXECUTIVE COOPERATIVE LEADERSHIP—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the *Record* an address on the subject *The Nation's Need: Executive Cooperative Leadership*, delivered by him before a Republican group in Waukesha, Wis., on March 13, 1944, which appears in the Appendix.]

ST. PATRICK'S DAY ADDRESS BY REPRESENTATIVE PHILBIN, OF MASSACHUSETTS

[Mr. WALSH of Massachusetts asked and obtained leave to have printed in the *Record* an address delivered by Representative PHILBIN, of Massachusetts, at Lawrence.

Mass., on March 16, 1944, which appears in the Appendix.]

OUR FUTURE PETROLEUM POSITION— ADDRESS BY SECRETARY ICKES

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a radio address on the subject of our future petroleum position, delivered by Secretary of the Interior Ickes, on the Town Hall of the Air program, New York City, March 16, 1944, which appears in the Appendix.]

VICTORY RECIPE-MENU CONTEST

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD the rules of a victory recipe-menu contest conducted by the union label trades department of the American Federation of Labor, which appears in the Appendix.]

ANNUAL SALARY BASIS FOR FOURTH- CLASS POSTMASTERS — CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered (2), and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"Less than \$50.....	\$72
\$50 but less than \$100.....	144
\$100 but less than \$150.....	216
\$150 but less than \$200.....	288
\$200 but less than \$250.....	360
\$250 but less than \$300.....	432
\$300 but less than \$350.....	492
\$350 but less than \$400.....	532
\$400 but less than \$450.....	572
\$450 but less than \$500.....	596
\$500 but less than \$600.....	672
\$600 but less than \$700.....	748
\$700 but less than \$800.....	824
\$800 but less than \$900.....	892
\$900 but less than \$1,000.....	960
\$1,000 but less than \$1,100.....	1,028
\$1,100 but less than \$1,500.....	1,100"

And the Senate agree to the same.

KENNETH MCKELLAR,
CARL HAYDEN,
WILLIAM LANGER,
C. D. BUCK,

Managers on the part of the Senate.

T. G. BURCH,
B. FRANK WHELCHER,
D. J. WARD,
N. M. MASON,

Managers on the part of the House.

Mr. McKELLAR. I ask unanimous consent for the immediate consideration of the report.

Mr. WHITE. Will the Senator from Tennessee give us the benefit of a brief explanation?

Mr. ICKELLAR. Mr. President, the bill agreed upon puts fourth-class postmasters on a salary basis. There were very slight differences between the House and the Senate, and those differences

were settled by compromise and adjustment. The salary provided is a little more than that the postmasters now receive, but not a great deal more. The bill is recommended by the Department, and I believe it is a proper step.

Mr. WHITE. The Senate conferees were in agreement about it?

Mr. McKELLAR. Oh, yes; all the conferees were in agreement, but they reached the agreement through compromise and adjustment all the way down the line.

The VICE PRESIDENT. Is there objection to the present consideration of the report? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

MEETING OF FRIENDLY SONS OF ST. PATRICK AT PHILADELPHIA, PA.

Mr. GUFFEY. Mr. President, last Friday night the Friendly Sons of St. Patrick of Pennsylvania held their annual dinner in Philadelphia. The Pennsylvania society is the second oldest society of Friendly Sons of St. Patrick in America, the oldest being in Savannah, Ga. Usually after such a meeting we hear what a great day it was for the Irish, but on this occasion we should say what a great night it was for the Welsh, because the two principal speakers were my Welsh colleague, who was born in Wales, the senior Senator from Pennsylvania [Mr. DAVIS], and a justice of the Supreme Court of Pennsylvania, George W. Maxey. I shall read from newspaper articles certain statements about that dinner which are very interesting, entertaining, and instructive. On this occasion a new candidate for President of the United States appeared in the field.

The senior Senator from Pennsylvania addressed the meeting first, and the Republican newspaper, the Philadelphia Inquirer, carried this much concerning his speech:

Senator JAMES J. DAVIS responded to the toast "The United States."

Declaring he favored an "international league to establish peace" after this war, Pennsylvania's senior Senator said the United States shunned the World War No. 1 League of Nations because of possible British control of the League.

Then the distinguished jurist from Pennsylvania took the floor and spoke at great length. I read from the Inquirer article:

Justice Maxey, reviewing the history of the Republican Party, especially from the standpoint of its selection of candidates for the Presidency, gave two reasons for its failure to nominate a Pennsylvanian in the 90 years of its history.

For one thing, he said, the party leadership in this State has too often failed or neglected to place men of outstanding ability in such offices as Governor and United States Senator.

Secondly, he added, the people of the country, rightly or wrongly, have come to regard the Republican organization in the State as made up of proprietors rather than leaders.

PENNSYLVANIA PASSED UP

"The American people," said Justice Maxey, "have never elected and never will elect to the office of President of the United States any man they think is controlled by any organization or by any person."

Then he went on to recite how many Presidents had come from Ohio and from New York and from Virginia. The article in the Inquirer continues:

"Why has Old Man Destiny gone all around us to select our Presidents? People who oversimplify say that the reason is that before 1936 Pennsylvania was always safely Republican and that nominees must come from doubtful States. The answer to that is (1) that the nomination of Presidential candidates from doubtful States serves little or no purpose, for such candidates lose their own States about as often as they carry them."

"That a Presidential candidate from a certain State is almost sure to carry that State is a political myth."

"My view is that the Republican party in its 90 years of history has never nominated a Pennsylvanian for President for two reasons: (1) The party leadership in this State has too often refused to place in the conspicuous positions of Governor or United States Senator, Pennsylvania's ablest public men.

VIEWED AS PROPRIETORS

"The second reason for Pennsylvania's neglect by the Republican National Convention is that our State Republican organization has always been regarded by the American people more as party proprietors than as party leaders, and it has been assumed by the American people, whether rightly or wrongly it is now not material to decide, that a Governor or a United States Senator from Pennsylvania is in large measure controlled by these proprietors."

"The American people have never accepted and will never accept a 'stooge' for President."

That is where, as I am advised, my friend and colleague walked out of the meeting, but he has told me, and I am sure he told me correctly, that he heard the call of the wild and went to the Moose Temple.

The article in the Inquirer continues:

"POLITICAL PARTIES ARE NECESSARY"

"A great leader, whether he deals with statesmanship or with 'practical' politics, distinguishes between the people's passing emotions and their settled convictions.

"I would like to say something in behalf of all the States. The foundation of the American system of government is the right of every State to regulate its own affairs. These rights of the several States are rapidly being destroyed by the Federal Government."

Mr. President, Justice Maxey wrote an opinion a few years ago, and I made a statement concerning it at the time, which was published in the CONGRESSIONAL RECORD, and if any of Leon Henderson's friends wish to refer to it they will find it in the CONGRESSIONAL RECORD of October 9, 1941. I will quote a few paragraphs from that statement:

The choice lay between law and politics. The Supreme Court of Pennsylvania, faithful to a tradition extending back more than half a century, chose politics. It reversed the election board and the common pleas court. It reversed its own decision in *Winston v. Moore*. It overruled, ignored, or dismissed historic precedents which have been honored by the courts since the founding of the Republic. And it produced, as an apology, one of the most amazing opinions ever handed down by a court of last resort.

The court admitted that the city charter, "construed literally," required an election

this year. But it pointed out solemnly that the German authority Puffendorf, who died in 1694, had found something different in the laws of medieval Bologna. Likewise, said the court, there was a ruling cited by Plowden from the statute of Edward II, who, as history records, was murdered in 1327. And, as a final touch, there was the famous decision of Walla Walla against Walla Walla Water Co.

The net result of the Bolognian law, Puffendorf's interpretations, Plowden's citations, the statute of the unfortunate Edward, and the litigation in Walla Walla, all taken together, appears to have convinced the court that it would be absurd to construe the city charter literally.

On that basis the case was reversed, and the election given to the present mayor of the city without a contest.

I should now like to read from an editorial published in yesterday's Philadelphia Record. It is headed "Puffendorf for President?"

I forgot to say, Mr. President, that Mr. Justice Maxey is willing to run for President, and the newspaper containing an article to that effect was placed on the streets of Philadelphia 3 hours before Justice Maxey delivered his speech. The statement was contained in a special edition of the Philadelphia Inquirer, published by Mr. Walter Annenberg. It is the great Republican organ in Philadelphia. The editorial is as follows:

PUFFENDORF FOR PRESIDENT? MAXEY CAN DREAM CAN'T HE?

The title of this editorial ought to be: "How To Skiffle Up a Candidate for President in 24 Hours."

At midnight Thursday night, March 16, 1944, not more than six people knew that Mr. Justice George W. Maxey was even thinking about becoming President of the United States. By midnight Friday, March 17, Mr. Justice Maxey had keynoted his own candidacy; before several hundred members of the Friendly Sons of St. Patrick and had actually been placed in nomination for President.

Now those things, boys and girls, just do not miraculously happen—even on St. Patrick's Day. They are arranged—and how.

Here is how Mr. Justice Maxey became a candidate for the Republican nomination for President of the United States:

At 7 o'clock on the evening of March 17, the "bulldog" edition of the Philadelphia Inquirer for March 18 was on the street. In it appeared the speech of Mr. Justice Maxey which was not made at the Friendly Sons banquet until more than 3 hours later.

In the Inquirer's page 1 article about the speech was the sentence: "Not a few diners interpreted the speech as an indication of the jurist's willingness to become a candidate for the G. O. P. Presidential nomination."

That sentence appeared in an edition printed an hour and a half before any of the diners sat down to eat, about 4 hours before Mr. Justice Maxey rared back and threw his high hard one in the direction of the Chicago convention.

The edition was distributed to some of the diners at the Friendly Sons banquet before they had even been served the fruit cup and long before they heard the Maxeyan keynote.

So when the big moment came, the diners at least knew how they were supposed to "interpret" the words of wisdom that poured forth from Pennsylvania's eminent jurist.

And just when the jurist sat down, with his words properly interpreted, Judge Clare Gerald Fenerty (the toastmaster) officially unveiled the candidacy of the eminent Maxey by looking the good chief justice squarely in the eye and thundering:

"We nominate you." [Cheers, applause, stamping.]

I ask unanimous consent, Mr. President, that the remainder of the editorial may be printed in the Record at this point.

There being no objection, the remainder of the editorial was ordered to be printed in the Record, as follows:

Thus was a candidacy born without benefit of obstetrics.

Only one error was made in the delivery. Apparently somebody forgot to tell Senator "Puddler" JIM DAVIS—another speaker at the Friendly Sons—of the Maxey candidacy. And quite obviously "Puddler" JIM hadn't read the "bulldog" edition of the Inquirer and therefore didn't know how to interpret the Justice's remarks.

When he heard Mr. Justice Maxey casting aspersions upon the low grade of Senators, Governors, and such spawned by the Republican "proprietors" of Pennsylvania, the Senator walked right out of the banquet hall.

He explained the next day that he had a date to meet a few of his brother Moose, that it was a free country, that Mr. Maxey had a right to say anything he wanted to say, that he wasn't paying attention to Maxey anyhow.

Neither Fenerty nor the "Puddler" troubled to remind the crowd that Maxey wrote the famous Puffendorf decision of the Pennsylvania Supreme Court—which went back to sixteenth-century law for a way to make Barney Samuel acting mayor of Philadelphia in 1941 without an election.

The crowd realized, of course, it was only a coincidence that the "Puddler" left at the very moment Justice Maxey was getting warmed up on the theme of grade D Senators. They understood JIM had a date with a Moose and excused what otherwise might have been interpreted as a bang at the Maxey boom.

So-o-o-o-o, the Philadelphia Inquirer has a candidate for President. "Puddler" JIM has explanations to make. Perhaps Wendell Willkie, Tom Dewey, Governor Bricker, Joe Pew, and John Hamilton have a slight headache. But we doubt it.

Mr. DAVIS. Mr. President, I have just listened to the remarks of my distinguished colleague and I do not need to tell the Senate that I am not at all surprised at his conduct here today. Neither do I need to tell the Senate that I am not at all surprised at the nature of the editorial which he has just inserted in the CONGRESSIONAL RECORD. It is the type of editorial that one would expect from a publication which is so closely bound up with the present administration. These are the types of comment one would likewise expect from a Senator who is a total devotee of the present administration.

It is regrettable, Mr. President, that one with the distinguished record of public service which Justice Maxey possesses should be subjected to such unfortunate publicity. His record as an attorney, as district attorney of his own county, as a judge in the lower courts of Pennsylvania, and as chief justice of the Supreme Court of the Keystone State, is well known. And for that record he need apologize to no man.

As for me, Mr. President, it is true that I had another engagement in Philadelphia that night, but that engagement was not the type of engagement alluded to in the editorial my colleague has just read. That night I was substituting at the Friendly Sons of St.

Patrick dinner for the senior Senator from North Dakota; and at 11 p. m. on the same evening I had an engagement with the Westinghouse Employees' Association, comprised of more than 2,500 sincere and patriotic workmen.

The record of war production achieved by the employees of that great industrial enterprise founded by George Westinghouse, who from humble beginnings developed the air brake, and later extended his work throughout the entire field of electricity, stands as an outstanding example of the great work which American management and labor are performing on the production front.

These workers are performing their daily tasks with complete competence and continuing determination that the system of free enterprise which sustained the organization in which they are now employed might be continued in the post-war years, notwithstanding the dangerous trends of repression and regimentation which have marked the present administration since its very inception. Here, Mr. President, let me say that during my own lifetime, because of the American way of free enterprise, I have seen Westinghouse grow from an organization of a single manager and a few employees to one which now employs tens of thousands of American workers and managers.

I was proud to have the honor of meeting and speaking with these American soldiers of war production, and for that honor and privilege I apologize to no man.

Going back to the Republican Party, Mr. President, I should like to point out that it is the essence of American democracy that every member of every party should remain free to make his own analysis and to support the candidates whom he feels are worthy of his support. I can only say that the Republican Party—yes, and the Democratic Party, too—could do far worse than to nominate a man of Justice Maxey's character, integrity, and ability.

The Republican Party, Mr. President, as is true of every sound and progressive organization, is now considering more than a dozen outstanding American men for the Presidential nomination this fall; for the Republican Party recognized that all men of ability should be carefully and fully considered for the outstanding positions of public service throughout the Nation.

It is a sad commentary on American democracy and American constitutional government today, Mr. President, that the party in power, far from encouraging the development of the men of ability within its ranks, repeatedly strikes them down because that party is committed to the policy that one man, and one man only, can carry the standard of its organization, regardless of the long-range damage that such a policy may do—and in some measure has done—to the fundamental concepts of American constitutional government.

I know, Mr. President, from the comments which have been made on this floor and from the articles which I have read in various publications, that today there are many Democrats who yearn to cast their ballots for certain outstanding members of their own party, but who

have repeatedly suffered their desires to be thwarted because of the powerful and ruthless political organization which has been built up in the Democratic Party to sustain one-man government.

I could speak at great length, Mr. President, regarding the "keepers" of the Democratic New Deal Party, but I shall defer that to another day. I only wish to assure my colleague at this time that I have never been found near the swill barrel of politics, as others whom I could mention have been. I further wish to assure my colleague that the Republican Party will choose its candidate without either his advice or his consent, and that the Republican Party will place its candidate before the American people in order that they may choose freely between the alternatives of constitutional government and the unsavory sort of government which they have received at the hands of the present administration for the past 12 years.

Mr. GUFFEY. Mr. President, I am sorry my colleague becomes so excited over my reading a speech delivered by a distinguished Republican jurist from Pennsylvania and published in a Republican newspaper. I added nothing myself, but merely read direct quotations.

I wish to say now to my colleague that, instead of becoming so excited over what the Republicans say about him, he should wait until his young Democratic opponent takes the stump this fall. Then he will have cause for excitement.

Mr. DAVIS. Mr. President, let me say that if he does it will be under the leadership of the Democratic Party in Pennsylvania, headed by the gentleman himself [Mr. GUFFEY], and the present State chairman; and if he does do so under that leadership, I will then tell what they said about each other. I welcome the contest.

Mr. GUFFEY. Mr. President, that is a public record, and the Senator has a right to use it and has a perfect right to refer to it.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION—CONFERENCE REPORT

Mr. CONNALLY. Mr. President, I regret very much to interrupt a discussion on a matter of such national interest. I call up the conference report on the so-called U. N. R. R. A. bill and ask unanimous consent for its immediate consideration.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations relief and rehabilitation organization, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 7, and 8; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree

to the same with an amendment, as follows: At the beginning of said amendment insert "Sec. 5."; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: Strike out the section number "5" and insert in lieu thereof "6"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 7. In adopting this joint resolution the Congress does so with the following reservation:

"That it is understood that the provision in paragraph 11 of resolution numbered 12 adopted at the first session of the council, referred to in section 3 of this joint resolution and reading 'The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief', contemplates that rehabilitation means and is confined only to such activities as are necessary to relief."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 8. In adopting this joint resolution the Congress does so with the following reservation:

"That the United Nations Relief and Rehabilitation Administration shall not be authorized to enter into contracts or undertake or incur obligations beyond the limits of appropriations made under this authorization and by other countries and receipts from other sources."

And the Senate agree to the same.

TOM CONNALLY,
WALTER F. GEORGE,
ARTHUR CAPPER,

Managers on the part of the Senate.

SOL BLOOM,
LUTHER A. JOHNSON,
CHARLES A. EATON,

Managers on the part of the House.

Mr. CONNALLY. Mr. President, in the conference the Senate conferees had their way about every amendment with the exception of the so-called Willis amendment. We modified very slightly one of the Senate amendments, but did not change its effect or its meaning. One of the proponents of those amendments was the Senator from Tennessee [Mr. McKELLAR]. Let me say that the Senator from Tennessee has expressed to me privately—he is here if he wishes to deny it publicly—his agreement with what the Senate conferees have done in that respect.

Mr. McKELLAR rose.

Mr. CONNALLY. I yield.

Mr. McKELLAR. I did not ask the Senator to yield to me, but I shall be delighted to have him do so.

Mr. President, let me say to the Senator that I told him in private that, although I would have preferred that the one amendment, I believe, which was changed somewhat might not have been changed, nevertheless I favored it. I say so publicly in the same way. I try never

to say anything in private that I will not stand by in public.

If the Senator from Texas desires to have my opinion, I will say I am inclined to think that the amendment offered by the Senator from Indiana [Mr. WILLIS] was a very excellent one, and I was very sorry that it was omitted in the conference. But, so far as my own amendments are concerned, I understood the Senator to say that the conferees did not change their meaning. That is what I was principally concerned with. I have no objection so far as my own amendments are concerned.

Mr. CONNALLY. I thank the Senator from Tennessee. I was sure he would confirm what I said.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WILLIS. Will the distinguished Senator from Texas inform us what the objection was on the part of the House conferees to my amendment?

Mr. CONNALLY. Has the Senator available a copy of his amendment?

Mr. WILLIS. Yes.

Mr. CONNALLY. I will say to the Senator from Indiana that his amendment was strenuously objected to by the House conferees. They advised the conference that the question had been voted upon in the House Foreign Affairs Committee a number of times, and that each time the proposal had been overwhelmingly defeated. The House conferees were absolutely adamant in their objection to the amendment of the Senator from Indiana, principally on the theory that there was nothing in the joint resolution which would authorize the acts which the Senator's amendment denounced, and that the U. N. R. R. A. would have no authority, without the amendment, to do any of the things which the amendment would prohibit. The Senate conferees concurred in that construction. The U. N. R. R. A. would have no authority to do any of the things which the Senator's amendment would prohibit.

Mr. WILLIS. Mr. President, will the Senator state how many meetings of the conference committee were held on this subject?

Mr. CONNALLY. I recall two. I do not remember whether we had more than two.

Mr. WILLIS. Will the Senator state how much time was given to the discussion of this amendment?

Mr. CONNALLY. I did not have a stop-watch.

Mr. WILLIS. I do not ask for the exact time. Was it 15 minutes or an hour?

Mr. CONNALLY. I should say it was even longer than an hour. Both Senators and Representatives were present, and, of course, 15 minutes would have been an unreasonable limitation. We discussed it for more than 15 minutes.

Mr. WILLIS. Does the Senator believe that there was full and free discussion of the amendment?

Mr. CONNALLY. I believe it was thoroughly understood.

Mr. WILLIS. Was it fully and freely discussed?

Mr. CONNALLY. It was fully and freely discussed. There was no time limit, and every member of the conference committee could talk as long as he desired. Other members of the conference committee are present. The Senator from Georgia [Mr. GEORGE] was a member of the conference committee, and the Senator from Kansas [Mr. CAPPER] was also a member.

Mr. WILLIS. I should like to ask the Senator on what he bases his statement that this question was considered in the House? The amendment originated with me.

Mr. CONNALLY. It was considered by the House committee.

Mr. WILLIS. But it was never passed on by the House.

Mr. CONNALLY. Not that I know of. However, I was assured that it was considered by the House committee several times, and that on each occasion the committee voted it down.

Mr. WILLIS. Did the Senate conferees suggest that the amendment be taken back to the House for action by the Whole House?

Mr. CONNALLY. I do not know that we suggested it, but that question was discussed, and it was indicated that the House conferees did not care to do so. It had already been acted upon in committee, and the House conferees were determined in their opposition to the amendment.

Mr. WILLIS. Mr. President, in my opinion this is an example of democracy in reverse. This amendment was offered in the Senate in good faith, and supported by a vote of 45 to 18. Then it went to conference. It was never considered on the floor of the House. The Senator says it was considered in the House Foreign Affairs Committee. I am not advised as to that, but I accept his word. I do not know how it was brought before the House committee in the form in which it was passed by the Senate. The amendment was supported in the Senate by all three of the Senate conferees when the vote was taken.

That brings us to the situation in which an amendment agreed to by a vote of nearly 3 to 1 in the Senate, and supported by the three Senate conferees, is blocked by a vote of three Members of the House. That certainly is a perversion of democratic processes. Under those circumstances it seems to me that it would have been only just for the Senate conferees to have insisted that the amendment be taken before the House for acceptance or rejection by the House. Does the Senator have any objection to that philosophy? Would he be willing to take the joint resolution back to conference, and ask the House to vote on the amendment?

Mr. CONNALLY. I will say to the Senator that the Senator from Texas has no objection to that philosophy; but I certainly would object to rejecting the conference report and going back to conference and asking the House to have a separate vote on something on which it has already expressed itself rather deter-

minedly. In my view, the matter is of little importance, because there is nothing in the joint resolution which would authorize such activities.

Mr. WILLIS. I will come to that in a moment.

Mr. CONNALLY. So far as democracy in reverse is concerned, the Senator must be advised that in order to become a law a measure must be passed by both Houses.

Mr. WILLIS. That is correct; but this amendment has never been before the House for consideration.

Mr. CONNALLY. The joint resolution was passed by the House without the amendment.

Mr. WILLIS. I take it that three Members of the House blocked the acceptance of this amendment.

Mr. CONNALLY. I do not know about that. When the House acts and sends us an official report, I do not try to go behind it and examine all the internal arrangements by which the House arrived at its conclusion. That is not our province. When the House sends a bill or joint resolution to the Senate with the certificate of the Clerk, that is the action of the House, and it is not the province of the Senate to analyze the action of the House and tell the House wherein it erred. That would be a violation of the proper comity which should exist between the two bodies.

Mr. President, I have great sympathy with the Senator from Indiana. He acted in perfect good faith; but many of us act in good faith, and yet do not succeed in achieving our desires and ambitions. That is about all I can say to the Senator.

Mr. WILLIS. Mr. President, I repeat it is a strange perversion of democracy when three members of a conference committee can block an amendment which was adopted by the Senate by a vote of 45 to 18, and which has never been considered on the floor of the House.

Mr. CONNALLY. Let me say to the Senator that the House conferees were only three in number, but they represented the entire House. They were the conferees on the part of the House of Representatives, whether their number was one or a dozen. So it is not quite fair to pick out three conferees and say that they are the culprits.

Mr. WILLIS. I think it is fair to say to the Senator that from a democratic standpoint, this amendment should have had full consideration by the House. It was agreed to in the Senate by a wide majority, and it certainly should have been considered by the House of Representatives. I say that merely as a statement of a broad principle of democracy, without going into the details of the rules. On the basis of general principle this amendment should have been considered by the House, and I believe the conferees on the part of the Senate would agree that it would be only fair to insist on a vote in the House.

As to the need for the amendment, it was offered in absolutely good faith on my part, and I believe it was supported in good faith by all Members of the Senate who voted for it, including the three Senate conferees. I believe that they

felt it of sufficient importance to cast a well-considered vote on it. If they had thought that it was of no importance, they should have protested at that time.

Mr. President, in order that we may further intelligently discuss the amendment, I ask that it be read by the clerk. It is Senate amendment numbered 6.

The VICE PRESIDENT. Without objection, the amendment will be read.

The Chief Clerk read the amendment, Senate amendment No. 6, as follows:

SEC. 8. None of the funds appropriated in pursuance of this authorization shall be expended in the promotion of any educational, religious, or political program in any country in which rehabilitation is carried on.

Mr. WILLIS. Mr. President, I think all of us want America to extend a charitable, generous, and helpful hand to our allies in a wise manner, and to those who have suffered from the devastations of this great war. In doing so, I believe that we should start from the beginning with the boundaries of this aid clearly outlined, with a chart clearly drawn, so that everyone, not only in our own land but in the countries to which we send aid, may know what our purposes are. I do not like to use this comparison; but we are appropriating \$1,350,000,000 into a fund in which we are to have one forty-fourth of the expending power. That we can do. We are, in plain words, unpleasant as they may be, entering into an international W. P. A. for relief. Already we have allocated 500,000 separate implements of agriculture, some to be delivered by July of this year, while our own farmers here at home are daily denied the request of implements which they sorely need to produce food for America.

We saw the W. P. A. operate in times past in this country. We know that the power to subsidize also carries with it the power to regulate. No matter how honest may be the intentions of the men who may be designated to administer the relief, we know that throughout the course of its administration there will be some who will say that certain educational, religious, and political programs must be carried out as a prerequisite to the relief so sorely needed. We had such an experience in our own country in connection with our own relief methods, and there is every reason to make it crystal clear that this will not be the purpose of America in its relations with other countries.

Senators, we are attempting to establish a program to take to the world the idea that America is a great and generous country of freedom-loving people. In carrying that thought to every nation, let us make it absolutely clear to them that there will be no effort on our part to restrict their religious, political, or educational ideologies. So it seems to me to be very necessary that this amendment be included in the joint resolution, and in the restrictions surrounding the resolution, before it is enacted into law.

Mr. President, I ask for the yeas and nays on the adoption of the conference report.

The VICE PRESIDENT. In order that the conference report may be properly

before the Senate, the Chair will inquire, Is there objection to its present consideration?

Mr. CONNALLY. Mr. President, when I presented the conference report I asked for its immediate consideration.

The PRESIDING OFFICER. Without objection, the conference report is before the Senate, and the question is on agreeing to the report.

Mr. WILLIS. Mr. President, I renew my request for the yeas and nays on the adoption of the report.

The yeas and nays were ordered.

Mr. WILLIS. I wish it to be stated, Mr. President, that in voting to reject the conference report we would not in anyway be expressing opposition to the objectives of the joint resolution. We would merely be asking that a further effort be made to include this delineating amendment in the report of the conference committee, and that it be taken back to conference with the understanding that the conferees should expend every effort to have the amendment submitted to the House of Representatives.

Mr. VANDENBERG. Mr. President, I am in no disagreement whatever with the able Senator from Indiana regarding the fundamental objective to which he subscribes, and which he has defined. This great international relief agency should not and must not degenerate into any activities in the field of education, religion, or politics. However, I am in deep disagreement with my distinguished friend respecting the procedure which he recommends in arriving at this result.

I think it is very unfortunate that this phase of the United Nations Relief and Rehabilitation agreement should have an emphasis placed upon it which might invite someone, somewhere, somehow, to believe that there is in the U. N. R. R. A. agreement some sort of a hidden license to permit the promotion of educational, religious, or political programs in the countries involved.

Mr. President, I had some responsibility in connection with the formation of this agreement, and that is the reason why I primarily feel it to be necessary to speak very plainly and frankly about it. I assert that by no stretch of anyone's imagination is there at any place in the agreement anything by which the power and authority of this organization could be used directly or indirectly in educational, religious, or political programs in any country on earth, anywhere, or at any time.

Mr. President, when we redrew the U. N. R. R. A. agreement in consultation between the State Department and the Senate Committee on Foreign Relations we scrupulously took literally months in which to circumscribe the authority which we were creating in order to be sure that it would involve nothing beyond the naked essentialities of relief in the areas behind our military lines as our Army moves on in its victorious forward march.

The only rehabilitation to which we gave any license whatever—and it is textually stated—is rehabilitation related

exclusively to the administration of successful relief itself.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. CONNALLY. Supplementing what the Senator has said, I hold in my hand a memorandum from the State Department in which it is stated:

The U. N. R. R. A. has no power whatever to enter into educational, religious, or political activities.

It confirms what the Senator has said.

Mr. VANDENBERG. I think it is so primary, so elemental, and so axiomatic, Mr. President, that I dislike to see an issue drawn here in a formal fashion which, in the event that the suggestion of the Senator from Indiana were approved, might invite the inference that there is some sort of authority involved in the agreement for the promotion of any educational, religious, or political program.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. WILLIS. What would be the objection, then, to clearly stating it in the joint resolution?

Mr. VANDENBERG. Mr. President, there was no objection on my part when the issue originally arose, and I voted for the Senator's amendment. I was one of the 45 Senators who voted in the affirmative. However, I so voted solely because I thought the amendment was surplusage and could do no harm. I still think it could have done no harm. If I had been a member of the conference committee, I should have voted to retain it in the joint resolution. However, I think it is totally needless. I do not think it adds anything to the inherent precautions which are already apparent in the agreement itself. I do not believe that if the amendment had never been proposed we would find this organization even remotely approaching the promotion of educational, religious, or political programs. If it should ever do so, whoever may be responsible for it should be impeached, because it would squarely defy the purpose of the entire undertaking.

Mr. WILLIS. Mr. President, I am in entire sympathy. I will say to the able Senator from Michigan, with such action as he has suggested being taken in case the program referred to were attempted. However, I can see no harm in the amendment, and I can see a very great need for including it in the joint resolution. I believe we should make further effort to have it put in so that there may be no misunderstanding in the future in reference to this provision.

Mr. VANDENBERG. I fully understand the earnestness with which the able Senator from Indiana presents his point of view, and I have no complaint or criticism to make of it. I sympathize with his attitude. I would have no part in creating any international function of a character which had any license, by any possible indirection, even, to deal in any educational, religious, or political program. The difference between us is that since the conference report omits

the textual prohibition which was inserted by the Senate, I am not in favor of jeopardizing the entire conference report, or emphasizing this one particular thing to the exclusion of everything else, by proceeding as indicated in the suggestion of the Senator from Indiana, because I would not under any circumstances lend any color at any time in any way, or at any place, to any remote thought that there can be any promotion of educational, religious, or political programs under the authority of this agreement.

Mr. BREWSTER. Mr. President—
Mr. VANDENBERG. I yield to the Senator from Maine.

Mr. BREWSTER. I certainly appreciate the Senator's confidence, but there is no authority whatsoever for any such procedure. I wish I might share the Senator's confidence that no one associated with this administration will ever do anything that is not authorized within the law. I have heard the able Senator from Michigan at times express considerable doubt upon that score; and in order that there may be no misapprehension, I think the more clear we make our intent the less possibility there is that any of the administrators may proceed under a misapprehension. It is for that reason that I welcome this language.

Mr. VANDENBERG. Let me say to the Senator that if he is asking me to underwrite the fact that this administration never exceeds its authority and never goes beyond the congressional intent as expressed in statutes, he has asked me to do something which I decline to have any part of, because I have seen the crime committed too often. But I submit to the Senator that if we are to confront that sort of maladministration of this act, then the mere inclusion of these few additional words will not stop the maladministrators.

Mr. BREWSTER. It at least will render it so that no man of any integrity or intelligence can possibly ignore its existence. It is for that reason that I welcome it. I should like to ask the Senator—

Mr. VANDENBERG. Before the Senator goes any further, I do not want to forget those words of his, because they are good. I agree that no man of intelligence or integrity can find one scintilla of authority in this agreement to proceed 1 millimeter in the direction of the promotion of any educational, religious, or political program.

Mr. BREWSTER. I should like to go one step further. It has come to my attention, and I think I am accurately informed, that four of the chief countries of Europe, with which I think we are most concerned, France, Belgium, Holland, and Norway, or Denmark, have, for reasons which seem good and sufficient unto themselves, felt sufficient concern regarding the possibility of some ideological penetration that they have taken the full responsibility of buying out of their own funds all the supplies which could be available or required in those countries in order that there might be no question as to their complete control of the distribution for fear of the

very things which we have in mind. Has the Senator any information regarding that situation?

Mr. VANDENBERG. No; but I can understand why such fears might exist in respect to the broad problems involved in post-war reconstruction. I assert, however, that we have met the situation ourselves in the construction of this agreement and this act, and we have put the limitations upon the managers of U. N. R. R. A. so definitely and so specifically in respect to their functions and their obligations and their responsibilities that it is beyond my comprehension that any American official could by any stretch of the imagination, I repeat, lend himself to any such prostitution of this statute; and if the existing limitations are insufficient then we cannot write limitations that will be sufficient.

I remind the Senate that this whole thing is created on such a basis that there is nothing authorized except as it is authorized by specific appropriations of the Congress from time to time; and we can write what limitations we please upon those appropriations when they are made and we have not violated the spirit of this agreement when we do it. If we cannot take care of ourselves in this particular instance, after having erected these safeguards, then God help us when we confront the major problems of the post-war contemplation.

Mr. BREWSTER. I understand that the Senator has no objection to the House at least having an opportunity to express itself upon this score if it could be secured with due regard for parliamentary proprieties.

Mr. VANDENBERG. I would have no objection whatever to an expression by the House on the subject, but I know of no way by rejecting the conference report that a vote can be produced in the House.

Mr. BREWSTER. Except, if the House are as interested as we are in the charitable aid of foreign countries, the conferees of the House, I assume, would, following a rejection, be willing to take this to the House in order to permit 435 Members of the House to express themselves, as we have here, and as three conferees of the House have. I assume that is the purpose of the vote we are about to take. We simply politely ask them, "Will you consider this?"

Mr. VANDENBERG. If I have not made it plain to the Senator why I shall not vote for that process, I shall make one further attempt. I am sure it is my fault and not that of the Senator.

Mr. BREWSTER. I wanted the Senator to be clear why I would vote for the proposal.

Mr. VANDENBERG. I am unwilling by my vote in connection with this issue to indicate that there is one scintilla of doubt in my mind—

Mr. BREWSTER. The Senator has already indicated that.

Mr. VANDENBERG. Or one reservation of any nature whatsoever that anybody in connection with this undertaking can do the thing the Senator is talking about.

Mr. BREWSTER. The Senator has already indicated that by one vote on this

very amendment. Is he not willing to vote a second time for what he voted for the first time?

Mr. VANDENBERG. I was perfectly willing to accept it in the original routine; but I am not willing to make it an issue which, when thus made an issue and if adopted after being made a major issue, would invite the suggestion that there is somewhere involved here the authority to promote educational or religious or political programs. I am not willing in any way whatsoever to create any situation which concedes that U. N. R. R. A. can touch the question of educational or religious or political programs.

Mr. GEORGE. Mr. President—

Mr. VANDENBERG. I yield to the Senator from Georgia.

Mr. GEORGE. I call attention to the fact that this is a mere authorization and that every dollar that is hereafter appropriated can be hedged about by any limitation the Congress wishes to put upon it. But we do not stop at that in this conference report. In the Senate and in the conference we insisted upon the amendment which is numbered 3, which was adopted, and which is clear and which in express terms is a reservation to the agreement itself creating U. N. R. R. A., not merely an amendment to this joint resolution but a reservation to the agreement which all the nations party to the agreement must accept. The reservation is this:

That in the case of the United States the appropriate constitutional body to determine the amount and character and time of the contributions of the United States is the Congress of the United States.

Not only that, but we insisted upon a further amendment which the conferees on the part of the House accepted, by way of a reservation to the U. N. R. R. A. agreement itself, and not merely to this joint resolution of the Congress. The reservation appears as section 6, and reads as follows:

In adopting this joint resolution the Congress does so with the following reservation:

That it is understood that the provision in paragraph 11 of resolution numbered 12 adopted at the first session of the council, referred to in section 3 of this joint resolution and reading "the task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief."

Note this reservation, which all the parties to the U. N. R. R. A. agreement must accede to or accept:

The provision . . . contemplates that rehabilitation means and is confined only to such activities as are necessary to relief.

The amendment which was offered by the distinguished Senator from Indiana related to rehabilitation only, and here is a positive affirmative reservation which goes down to the very heart of the whole U. N. R. R. A. organization, which in affirmative language says that rehabilitation contemplates, means, and is confined only to such activities as are necessary to relief.

We have another reservation in the measure which provides that the authorities in administering U. N. R. R. A., the responsible organization set up un-

der the agreement, cannot change it so as to bind the United States without the consent of the Congress of the United States expressed by joint resolution. So we concluded that there was no need to insert a negative, a mere limiting provision, in lieu of these positive, direct declarations confining U. N. R. R. A. to the doing only of the one thing, to wit, affording relief.

Of course, no one can guarantee that appointed agents of the Government, or of an international organization such as this, may not abuse their powers or their authority. That they could do under any sort of an appropriation that was made by the Congress. The point is that we have safeguarded this matter as far as we can safeguard it, by insisting upon reservations, not mere amendments made to a resolution, but insisting upon reservations to the organic agreement of the several powers which are now contributors to U. N. R. R. A., to its support and to its maintenance. We have hedged it around certainly so that there can be no abuse of the power which we are granting except by the deliberate act of an agent who does not correctly and properly and honorably represent his country. We would not, of course, attribute to those who are called on to administer U. N. R. R. A. any intent or purpose of that kind.

Above everything else, before a single dollar can go out of the Treasury of the United States for this purpose, the identical language which appears in this rejected section can be offered as an amendment to any appropriation bill, because it would be a proper limitation on the use of the money. Every dollar can have attached to it the identical limitation which was contained in the amendment offered, in all good faith, by the Senator from Indiana, an amendment for which I suppose I voted. I do not think I would have been disposed to vote against it. But here we have the affirmative declaration of precisely how far anything can be authorized, with the added assurance that no change in the constitution of U. N. R. R. A. can be made, so as to bind us or affect us, except upon a ratification of the change made by the Congress of the United States by appropriate resolution. So we can fix the limitation.

I should like to say to the Senator from Indiana that I have no great enthusiasm for U. N. R. R. A., and if I had had any authority or power in bringing about the setting up of the relief organization, it would have been a relief organization, so far as the United States is concerned, that would have acted on its own, and would not have been tied up with agreements on the part of other nations. But, while I have no great enthusiasm for U. N. R. R. A., I think we have hedged it about as far as is necessary, and especially when it is remembered that this is a mere authorization of a total appropriation for a period limited until June or July 1946. When our Appropriations Committee brings in an appropriation bill containing any amount for U. N. R. R. A., this limitation can be inserted.

Mr. WILLIS and Mr. AIKEN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield; and if so, to whom?

Mr. VANDENBERG. I will yield in a moment. I thank the Senator from Georgia for his statement. He confirms the analysis which I have made of the situation, and I think the analysis is invincible.

He brings up one point which I had intended to advert to briefly in respect to the language in the amendment of the Senator from Indiana. The language itself is most unfortunate, because it applies only to countries in which rehabilitation is carried on. We have sought throughout the creation of this instrumentality to limit the rehabilitation so far as possible, and to justify only such rehabilitation as is intimately and indispensably related to the administration of relief. Yet the Senator's amendment applies only to rehabilitation, and does not apply to relief.

That is an utterly secondary and inconsequential consideration, but I submit that it indicates once more that this is, after all, not the Ark of the Covenant, and that we have not lost everything if we lose this amendment.

I now yield to the Senator from Indiana.

Mr. WILLIS. Mr. President, I should like to say that the language can very well be made to read "relief and rehabilitation." It is to be regretted that the Senator from Michigan did not insert the language when we adopted the amendment. I appreciate his long experience and his ability, and he probably could have drafted the amendment much better than I, in my inexperience, drafted it. I shall be glad to have that included in the conference agreement.

Mr. VANDENBERG. I now yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I listened with interest to the comments of the Senator from Georgia, who was on the conference committee, and particularly to his statement that this limitation could be added to an appropriation bill when it comes up later, and we are asked to appropriate for the U. N. R. R. A. It does not seem to me that in fairness to U. N. R. R. A. itself we can do that. They should not be required to wait until that time before they know what they can do. As I understand, the officials in charge of U. N. R. R. A. are now making their plans for the expenditure of these funds, and they will come in later and tell us from time to time how much they need. It may be that they are planning for an educational program in connection with the distribution of food. I may say that in my mind there is some question whether they should not be permitted to indulge in a little educational program covering the use of this food. But they are making their plans now, and if they come in with plans calling for an educational program, as our W. P. A. did, and we say to them, "Not a dollar of this can be spent on an educational program," they will have to retrace their steps and make their plans all over again.

Mr. VANDENBERG. I may say, in reply to the Senator from Vermont, that they contemplate nothing of the sort.

They are already on notice. They have said in a letter which the Senator from Texas has just read that they know they have authority to do no such thing, and in the letter read they have said they contemplated nothing of the sort. So I am not at all fearful about their being misled. No man who had anything whatever to do with the formation of this undertaking could be misled about any license for the promotion of educational, religious, or political programs under it.

Mr. President, I sum up by saying that I think we are better off, we are safer, in respect to the objective which the able Senator from Indiana appropriately embraces, in not sending this matter back to conference seeking to make a major issue of this particular amendment, because if we send it back and the Senator's amendment is then formally rejected, it will be rejected, so far as legislators are concerned, because they say it is surplusage and unnecessary, but rejected perhaps with the result that somebody hereafter may say, "Congress declined to prohibit the promotion of educational, religious, or political programs."

Now if we accept this conference report, I want to say finally that we have not rejected a prohibition against educational, religious, or political programs under U. N. R. R. A. We have simply confirmed the fact that nowhere, at no time, under any circumstances directly or indirectly is there any remote authority in the document itself or in the agreement or in the administration for the promotion of educational, religious, or political programs anywhere on earth.

Mr. WILLIS. Mr. President, the Senate has already inserted this amendment in the joint resolution, and now it is proposed that we remove the restriction provided by the amendment. I think the time for such action has passed. If we desire to make such restriction plain and secure, it is absolutely necessary that we include the amendment in the joint resolution.

Mr. President, the distinguished Senator from Georgia [Mr. GEORGE], for whose great ability no Senator has higher regard than have I, said that we can place the provision in the appropriation bill. But it can be taken out of the appropriation bill as easily as it is now proposed to take it out of the joint resolution. Let us not begin such a practice. Let us say in the beginning that we mean what we say by the amendment, and stand by it. I think it highly important that the amendment be carried in the final form of the joint resolution.

I agree with what Senators much more able than I have said, that perhaps there is nothing in the joint resolution which gives any authority to any agency or to any administrator to use the fund for the purposes in question. But we have seen in recent times a strange perversion of the interpretation of the laws of our land, and we do not know how in the future some administrator may interpret the provisions of this resolution. So let us set out the restriction in language so plain that everyone can understand it.

Mr. President, in the interest not only of our good will to the people we desire to aid, but for the protection of the people of America, we should write this restriction into the joint resolution, and say that we are going to extend relief in such a way that we shall not in any way restrict the ideologies which to the people involved are dear, or do anything which, if we were in their place, and the situation were reversed, we would not want them to do to us. Let us practice the golden rule with respect to these people and say, "We will not do anything to you that we would not want you to do to us," and let us put it in the measure in language so plain that no one can misunderstand it.

Mr. President, I realize that it would be embarrassing to some who want to vote for the amendment to vote against the conference report. Therefore I should like to move that the conference report be recommitted to the committee for further consideration on the basis of the discussion which has been heard here today.

Mr. President, I move to recommit the conference report to the conference committee with the request that the committee use every effort to have the amendment before the House of Representatives. On this motion I ask for the yeas and nays.

The VICE PRESIDENT. The plain motion to recommit is in order. The yeas and nays on the motion have been asked for. Is the demand seconded?

The yeas and nays were ordered.

Mr. CONNALLY. Mr. President, I wish to say a few words before a vote is taken. The Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. VANDENBERG] have very clearly set forth the lack of necessity for the amendment and its undesirability. I wish to suggest now what the Senate will be doing if the measure is sent back to conference. The Senator from Indiana seems to think we can send it back to conference, and that the conferees can simply fix up a little generator and the whole thing will work all right. That would seem to him to be very simple. But when the Senate sends the measure back it means that we reject every amendment for which we secured the consent of the House. What are those things? Do Senators suppose the House is simply going to say, "Yes; we accept all the amendments which the Senate proposed, and we recede on all our proposals"?

What are the amendments? Let Senators read the report and note the amendments we succeeded in getting the House to agree to—amendments which really are vital to the whole project.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WILLIS. There has been no objection to the other amendments carried in the report of the committee, has there?

Mr. CONNALLY. No; but the House is a party to this proceeding. When the measure is sent back to conference the whole subject which was in conference

is opened up again. The House Members can renew their objection to every amendment which was agreed to in conference, and the House can do the same.

Mr. WILLIS. There is not much likelihood that they will do so, is there?

Mr. CONNALLY. If I were a House conferee I think I would have some views concerning the Senate getting what it supposedly wanted and then demanding, after a full and free conference, that the House reconsider the matter in order to vote separately on one amendment. The House has some conception of its dignity and its power.

Mr. President, what have we obtained in this conference? Here is one of the very vital amendments to which we secured the consent of the House, though it was not secured on the first vote. The matter had to be argued and debated, but finally we did secure the consent of the House conferees. I refer to the reservation contained in section 7. As pointed out by the Senator from Georgia, it is a reservation to the very vitals of the original agreement between the nations. They must all consent to it. I read it:

Sec. 7. In adopting this joint resolution the Congress does so with the following reservation:

That it is understood that the provision in paragraph 11 of resolution numbered 12, adopted at the first session of the Council, referred to in section 3 of this joint resolution and reading "The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief."

That is the language that was contained in the amendment, and then we added, interpreting that language:

Contemplates that rehabilitation means and is confined only to such activities as are necessary to relief.

By reason of the acceptance by the House of that amendment of the Senate we tie all this organization's activities down to relief only. We exclude rehabilitation. We exclude the activities which the Senator would prohibit in his amendment, because the State Department, which is sponsoring this matter, officially has advised me as follows:

U. N. R. R. A. has no power whatever to enter into educational, religious, or political activities.

When this measure is sent back to conference in order to adjust the amendment of the Senator from Indiana, it is sent back for all purposes, and none of these amendments are then adopted unless we obtain a renewal of the action of the House, and get the House to agree. Do Senators think House Members are going to be in very good humor to agree, after we have obtained practically everything we asked for in conference, and then go back to them and say, "Wait a minute now, you must take this amendment back. There must be a separate vote on this amendment just as we want it, and you have got to accept it just as we say it should be worded."

What other things did we obtain in the conference? I ask Senators to read the report. I read section 8, as follows:

Sec. 8. In adopting this joint resolution the Congress does so with the following reservations:

That the United Nations Relief and Rehabilitation Administration shall not be authorized—

This is vital, it goes to the fundamentals of the authority of the Congress, the control of the purse. We are tying the whole Administration, not simply our contribution, but we are tying the whole U. N. R. R. A. to the proposition—

shall not be authorized to enter into contracts or undertake to incur obligations beyond the limits of appropriations made under this authorization and by other countries and receipts from other sources.

That is what we have done. We secured the consent of the House conferees to that provision. If the conference report is adopted by the House and the Senate, it will be provided in the law that the U. N. R. R. A. itself cannot make its plans, cannot assume obligations, or cannot make commitments beyond the limitations of the appropriations made by the Congress of the United States and the limitations in connection with the funds which it has received from other countries. Is not that sound? Are we not tying their hands? Are we not delimiting their authority?

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BROOKS. I should like to ask the Senator a question. The pending motion is to recommit the conference report. Is it not true that no action is taken on the conference report until the Senate acts upon it?

Mr. CONNALLY. Action of what kind?

Mr. BROOKS. Action by the House. Does not the House wait until the Senate acts upon the conference report?

Mr. CONNALLY. Oh, yes; I assume that to be correct.

Mr. BROOKS. Then if the Senate should ask the House to reconsider, could it not be reconsidered in conference, without going back to the House for a vote?

Mr. CONNALLY. Oh, yes.

Mr. BROOKS. Is it not possible, then, for the three conferees on the part of the Senate to go to the conferees on the part of the House in the same spirit in which the Senator from Indiana [Mr. WILLIS] has presented the matter, and to say, "The Senate feels very strongly on this matter, and we wish you would accept it. We are not insulting the House, and we are not challenging the House, but we are merely asking the House to cooperate."

Mr. CONNALLY. Oh, yes; all that is possible; the millennium is possible; a great many things are possible, which are not going to happen. I say to the Senator from Illinois that of course the Senate conferees could go back to the conference with the House conferees. When we went back to the conference, what would we say? We would say, "Well, we appreciate your agreeing to all these other amendments in which we are really interested, and which are vital;

but here is another little amendment. The Senate has rejected the report, and has sent it back to conference, and we want you to accept this amendment."

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BROOKS. I respectfully submit that in some men's eyes it may be a very little thing, but in my judgment it is a very large thing. This is a step by which we are moving out into the world's domain, and are contributing more than 60 percent of the funds which are to be used for relief. The people of America, if I understand their present temper, want this Congress to write out, to spell out, and to define to the last dotting of an "i" and the crossing of a "t" what we are going to do in these foreign relations affairs. In the report which was made here the distinguished chairman of the committee said:

The signing of the United Nations relief agreement is a milestone in the development of the foreign policy of the United States.

That is exactly what I believe it is going to be; and I, for one, would like to have it limited, and, now that the question has been brought up, I would like to have a double limitation that it be confined to relief, not used for educational, political, or religious purposes which would lead us into any foreign complications in the future. The resolution is not a trivial one.

Mr. CONNALLY. Mr. President, I respect the views of the Senator from Illinois. I realize his interest in the matter, and I realize the interest of the Senator from Indiana. I wish to say that so far as the foreign-relations angle of this matter is concerned, I rather share the view of the Senator from Georgia [Mr. GEORGE] that there was no enthusiasm about our voting to extend relief.

I view this measure, however, as a part of the program of the war. We do not wish to have chaos in Europe, because chaos in Europe would mean that the waves which would there be set in motion would wash our shores. We do not want in Europe communism generated by hunger and want, and fomented by the agitation of politicians from other countries and the propaganda of other lands. We want this war to be successfully waged, and then we wish to have a just and durable peace, and the possibility of setting up an agency which we hope will prevent our enemies from again bathing the earth in blood.

But let us see. The Senator wishes to have every "i" dotted and every "t" crossed. How can we do that without having the dictionary inserted as an amendment to practically every measure? An authorization is an authorization. It does not extend beyond the grant of powers contained in the authorization. If we are going to adopt negative prohibitions—"you shall not do this; you shall not do that; you shall not do the other," every imaginable thing which occurs to our minds—the measure will be impracticable and impossible. Sup-

pose someone says, "Why do you not put in the resolution a provision that the U. N. R. R. A. shall not furnish anything but dairy products, and shall not use any other kind of fats except dairy fats? Why do you not prohibit the use of anything else, and prohibit the use of any kind of wheat except wheat from the United States?"

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WILLIS. The Senator from Texas would not compare dairy products with political, educational, and religious matters; would he?

Mr. CONNALLY. No; and I do not.

Mr. WILLIS. I merely wanted to make that point clear.

Mr. CONNALLY. But it helps a fellow meet his religious engagements if he has dairy products.

Mr. WILLIS. We desire to make sure that the funds contributed by the United States are not used for religious, political, or educational purposes.

Mr. CONNALLY. No provision authorizing the use of the funds for such purposes is contained in the joint resolution, and no authorization for such use is contained in it. I challenge the Senator from Indiana, if he wishes to be meticulous, to put his finger on a phrase or a clause or a word in the measure which authorizes the use of the funds for religious, political, or educational purposes. The Senator is a very able gentleman. He is a journalist. He burns the midnight oil, no doubt; and if such a phrase or clause or word is contained in the resolution, he will find it.

But, Mr. President, above all that, are these amendments whose adoption we have secured, and which guarantee to the present Congress and to all future Congresses the right in passing upon the appropriations to tie upon every dollar, every dime, and copper within such appropriation any limitation which may be desired. The Congress can insert a limitation that the U. N. R. R. A. may not use a dollar of the money appropriated to buy calico, but must buy broadcloth. Future Congresses can insert in the appropriations any denial or limitation as to the purpose for which the money shall be spent. That is our power; that is our authority. It is the power to control the purse. Senators talk about the power of the Congress to do this, to do that, and to do the other thing, but so long as we hold the reins on appropriations, so long as we turn on or turn off the spigot of money coming from the Treasury, the Congress of the United States will remain the governing power in this Republic because, under the power to control the purse, the Congress can deny money to the President of the United States; under the power to control the purse, the Congress can, if it so desire, paralyze the Supreme Court by refusing to appropriate for the salaries of the judges of the Court. Under the power to control the purse the Congress can interdict the operation of any department of the Government until it does the bidding of Congress. The cases are extreme ones, but they illus-

trate the magnitude and the wide sweep of the control of the Congress over the purse. We have such control in connection with this conference report.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BUSHFIELD. I am impressed by the remarks of the distinguished Senator from Texas, as I was by the remarks of the Senator from Georgia and the Senator from Michigan.

Mr. CONNALLY. I thank the Senator.

Mr. BUSHFIELD. A moment ago the Senator challenged the Senator from Indiana to point out one word or phrase—

Mr. CONNALLY. I did not challenge the Senator from South Dakota.

Mr. BUSHFIELD. I invite the Senator's attention to the language on page 3. This is the section which gives U. N. R. R. A. the power to do what it may do. This section provides that U. N. R. R. A. shall have the power—

To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations—

This is the significant part—through the provision of food, fuel, clothing, shelter, and other basic necessities, medical and other essential services—

During the time I have been a Member of the Senate I have seen all kinds of interpretations, far from what Congress intended in legislation, placed upon acts of Congress by agencies of the Government. I do not care to have Judge Rosenman decide what "other essential services" means. I want the Congress to state what may be done.

Mr. CONNALLY. I appreciate the interruption of the Senator from South Dakota, and his generous comment respecting the Senator from Texas, the Senator from Georgia, and the Senator from Michigan. I feel sure that I am authorized to speak for them. However, frankly I do not see anything objectionable in the language of which the Senator complains. It says "other basic necessities." What is a basic necessity?

Mr. BUSHFIELD. Under the provisions of the joint resolution, who is to interpret what the words "other essential services" mean?

Mr. CONNALLY. Initially, the administrators of the program. If they should determine upon something that we did not think should be done, we could stop it by means of limitations on appropriations.

The Senator from South Dakota made some reference to Judge Rosenman. I do not happen to hold a brief for Judge Rosenman. He needs none. I do not know what he has to do with this measure. I never heard of him in connection with it. We held hearings in the Committee on Foreign Relations, and the Senate passed the joint resolution, and we have had conferences for 3 or 4 days with the House conferees. Frankly, I never heard Judge Rosenman's name mentioned. I looked under every desk

and table in the room, but he was not under any of them. [Laughter.] What has he to do with the joint resolution? I do not know.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BUSHFIELD. Was the Senator looking for him?

Mr. CONNALLY. I thought perhaps the Senator from South Dakota might inquire, when the conference report was under consideration, what Mr. Rosenman had to do with it; and merely as a matter of precaution, I looked carefully under every desk, but I did not see Judge Rosenman anywhere. [Laughter.]

Mr. BUSHFIELD. Mr. President, will the Senator yield for a further question?

Mr. CONNALLY. I yield.

Mr. BUSHFIELD. Did the Senator look under the President's desk?

Mr. CONNALLY. That was the shot that got me. [Laughter.] No; we did not look under the President's desk. The President was at the White House, and we held these meetings in the committee room of the Committee on Foreign Relations, to which the Senator from South Dakota is welcome at all times. If our search is not thorough enough, we will ask him to come and bring a flashlight, a telescope, and a magnifying glass.

I do not know what Judge Rosenman has to do with this question. So far as I am concerned, he has nothing to do with it. He is not doing the thinking for the Senator from Georgia [Mr. GEORGE]; he is not doing the thinking for the Senator from Michigan [Mr. VANDENBERG]; and if I may modestly say so, he is not doing the thinking for me. He has never talked with me about the joint resolution. He has never spoken to me about any other measure pending before the Senate. He has never made any suggestion to me about anything on earth connected with this Government. That is all I know about Judge Rosenman.

Mr. President, I do not care to consume more of the time of the Senate. Under provisions to which we have secured the consent of the House, we establish a perpetuity of control by the Congress over every dollar that may be appropriated. The amendment of the Senator from Indiana is not necessary. It would not do any harm; but the House conferees were adamant. They told us that the question had been voted upon in the committee three or four times. There are persistent Members in the House as well as in the Senate. They kept bringing it up and urging it. The committee voted against it repeatedly, and the House conferees were determined not to accept the amendment. So I hope the Senate will reject the motion to recommit so that the conference report may be agreed to.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The question is on agreeing to the motion of the Senator from Indiana [Mr. WILLIS] to recommit the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). I have a general pair with the Senator from North Dakota [Mr. NYE]. I transfer that pair to the Senator from New York [Mr. MEAD] and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I am informed that if he were present he would vote as I am about to vote. I am therefore free to vote. I vote "nay."

Mr. McKELLAR. I have a general pair with the Senator from Oregon [Mr. CORDON]. Not knowing how he would vote, I withhold my vote.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Virginia [Mr. GLASS] would vote "nay."

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Idaho [Mr. CLARK], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Utah [Mr. THOMAS] are detained in Government departments on matters pertaining to their respective States. I am advised that if present and voting, the Senator from Montana [Mr. MURRAY] and the Senator from Utah [Mr. THOMAS] would vote "nay."

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mr. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business. I am advised that if present and voting, the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] would vote "nay."

The Senator from Montana [Mr. WHEELER] is detained in a committee meeting.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. WAGNER] are necessarily absent. I am advised that if present and voting, the Senator from Utah [Mr. MURDOCK], the Senator from Kentucky [Mr. CHANDLER], and the Senator from New York [Mr. WAGNER] would vote "nay."

The Senator from New Mexico [Mr. HATCH] is leaving for New Mexico tonight, and is transacting business in some of the Government departments. I am advised that if present and voting, he would vote "nay."

The Senator from Indiana [Mr. JACKSON] and the Senator from Washington

[Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana and the Senator from Washington would vote "nay."

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from Utah [Mr. THOMAS]. The Senator from New Hampshire is necessarily absent.

The Senator from Nebraska [Mr. BUTLER], the Senator from South Dakota [Mr. GURNEY], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER]. The Senator from Kansas is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The result was announced—yeas 22, nays 36, as follows:

YEAS—22

Aiken	Hawkes	Thomas, Idaho
Brewster	Holman	Weeks
Brooks	Langer	Wherry
Buck	Millikin	Wiley
Burton	Revercomb	Willis
Bushfield	Robertson	Wilson
Danaher	Shipstead	
Ferguson	Taft	

NAYS—36

Andrews	George	Maybank
Austin	Gerry	O'Mahoney
Ball	Gillette	Overton
Barkley	Green	Radcliffe
Bone	Guffey	Stewart
Capper	Hayden	Truman
Clark, Mo.	Hill	Tunnell
Connally	Kilgore	Tydings
Davis	La Follette	Vandenberg
Downey	McCarran	Walsh, Mass.
Eastland	McClellan	Walsh, N. J.
Ellender	McFarland	White

NOT VOTING—38

Bailey	Hatch	Pepper
Bankhead	Jackson	Reed
Bilbo	Johnson, Calif.	Reynolds
Bridges	Johnson, Colo.	Russell
Butler	Lucas	Scrugham
Byrd	McKellar	Smith
Caraway	Maloney	Thomas, Okla.
Chandler	Mead	Thomas, Utah
Chavez	Moore	Tobey
Clark, Idaho	Murdock	Wagner
Cordon	Murray	Wallgren
Glass	Nye	Wheeler
Gurney	O'Daniel	

So Mr. WILLIS' motion to recommit the conference report was rejected.

The VICE PRESIDENT. The question now recurs on the motion to agree to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). Making the same announcement which I made in connection with the previous vote, as to the transfer of my pair with the Senator from Kentucky [Mr. CHANDLER], I am at liberty to vote. I vote "yea."

Mr. HAYDEN (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. NYE]. I transfer that pair to the junior

Senator from New York [Mr. MEAD] and will vote. I vote "yea."

Mr. McKELLAR (when his name was called). I have a general pair with the junior Senator from Oregon [Mr. CORDON]. Not knowing how he would vote if present, I withhold my vote.

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Virginia would vote "yea."

The Senator from Montana [Mr. WHEELER] and the Senator from Nevada [Mr. McCARRAN] are detained in a committee meeting.

The Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana and the Senator from Washington would vote "yea."

The Senator from New Mexico [Mr. HATCH] is leaving for New Mexico tonight and he is transacting business in some of the Government departments. I am advised that if present and voting, he would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Idaho [Mr. CLARK], the Senator from Georgia [Mr. RUSSELL], and the Senator from Utah [Mr. THOMAS] are detained in various Government departments on matters pertaining to their respective States. I am advised that if present and voting, the Senator from Utah [Mr. THOMAS] would vote "yea."

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mr. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business. I am advised that if present and voting, the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] would vote "yea."

The Senator from Kentucky [Mr. CHANDLER], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. WAGNER] are necessarily absent. I am advised that if present and voting, the Senator from Kentucky [Mr. CHANDLER], the Senator from Utah [Mr. MURDOCK], and the Senator from New York [Mr. WAGNER] would vote "yea."

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from Utah [Mr. THOMAS]. The Senator from New Hampshire is necessarily absent.

The Senator from Nebraska [Mr. BUTLER], the Senator from South Dakota [Mr. GURNEY], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER]. The Senator from Kansas is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The result was announced—yeas 47, nays 9, as follows:

YEAS—47

Alfken	Ferguson	O'Mahoney
Andrews	George	Overton
Austin	Gerry	Radcliffe
Barkley	Gillette	Robertson
Bone	Green	Stewart
Brewster	Guffey	Taft
Burton	Hawkes	Truman
Byrd	Hayden	Tunnell
Capper	Hill	Tydings
Clark, Mo.	Holman	Vandenberg
Connally	Kilgore	Walsh, Mass.
Danaher	La Follette	Walsh, N. J.
Davis	Langer	Weeks
Downey	McFarland	White
Eastland	Maybank	Wiley
Ellender	Murray	

NAYS—9

Brooks	Millikin	Wherry
Buck	Revercomb	Willis
McClellan	Shipstead	Wilson

NOT VOTING—40

Bailey	Hatch	Reed
Ball	Jackson	Reynolds
Bankhead	Johnson, Calif.	Russell
Bilbo	Johnson, Colo.	Scruggs
Bridges	Lucas	Smith
Bushfield	McCarran	Thomas, Idaho
Butler	McKellar	Thomas, Okla.
Caraway	Maloney	Thomas, Utah
Chandler	Mead	Tobey
Chavez	Moore	Wagner
Clark, Idaho	Murdock	Wallgren
Cordon	Nye	Wheeler
Glass	O'Daniel	
Gurney	Pepper	

So the conference report was agreed to.

APPOINTMENT OF BRIGADIER GENERALS OF THE LINE IN THE REGULAR ARMY

Mr. AUSTIN. From the Committee on Military Affairs I report back the amendment of the House of Representatives to the bill (S. 1410) to amend section 4 of the act approved June 30, 1940, with the recommendation that the Senate concur in the House amendment. I ask unanimous consent for immediate consideration of the amendment.

The VICE PRESIDENT. The amendment will be stated.

The Chief Clerk read the amendment of the House of Representatives to the bill (S. 1410) to amend section 4 of the act approved June 13, 1940, which on motion of Mr. AUSTIN on November 29 had been referred to the Committee on Military Affairs, as follows:

On page 1, strike out all after line 4 over to and including line 6, on page 2, and insert: "Sec. 4. That hereafter brigadier generals of the line shall be appointed from among officers of the line commissioned in grades not below that of lieutenant colonel who are credited with 28 years' continuous commissioned service in the Regular Army as hereinbefore provided and whose names are borne on an eligible list prepared annually by a

board of not less than five general officers of the line, not below the grade of major general: *Provided, however,* That not more than 25 percent of the total authorized number of brigadier generals of the line may be appointed, without regard to length of service, from among officers of the line commissioned in grades not below that of lieutenant colonel and whose names are borne on such eligible list. Hereafter appointment as chief of any branch shall be made from among officers commissioned in grades not below that of lieutenant colonel who are credited with 28 years' continuous commissioned service in the Regular Army as hereinbefore provided, and who have demonstrated by actual and extended service in such branch or on similar duty that they are qualified for such appointment."

The VICE PRESIDENT. The question is on concurring in the amendment of the House to Senate bill 1410.

The amendment was concurred in.

Mr. AUSTIN. Mr. President, for the sake of the RECORD, I ask to have inserted a memorandum for the President of the Senate, signed by President Roosevelt, dated October 1, 1943, which explains the occasion for the amendment of section 4. It explains it just as well as I could explain it, and since this bill has already been thoroughly considered and a full explanation made at the time it passed the Senate, I will refrain from further discussing the matter.

The VICE PRESIDENT. Without objection, the memorandum will be printed in the RECORD.

There was no objection.

The memorandum is as follows:

Attached is a list of nominations to fill vacancies among the permanent general officers of the line. The names of these particular officers are well known for the conspicuous services they have already rendered the Nation in the present emergency. Five of them, however, Lieutenant Generals Kenney and Clark and Major Generals Handy, Eaker, and Smith, have less than the legally prescribed 28 years of continuous commissioned service in the Regular Army which is required by the National Defense Act as a prerequisite to appointment as a brigadier general of the line of the Regular Army. The provisions of the National Defense Act quite evidently had in mind peacetime conditions because it is not conceivable that a lieutenant general, for example, in highly successful command of our Air Forces engaged with the enemy in the Southwest Pacific is not qualified for appointment as a brigadier general of the Regular Army.

I hope you will arrange for the necessary modification of the law to meet this situation.

FRANKLIN D. ROOSEVELT.

Mr. AUSTIN. Mr. President, I understand that the action taken by the Senate in concurring in the House amendment passes the bill. Is that correct?

The VICE PRESIDENT. The amendment is concurred in, and the bill is passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1349. An act to authorize the Secretary of the Navy to convey to the city of New York certain lands within the Brooklyn Navy Yard in the city of New York;

S. 1428. An act to amend the provision of the act authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of officers, enlisted men, or nurses of the Navy or Marine Corps, and for other purposes;

S. 1635. An act to eliminate a pay discrimination against the teacher of music at the United States Military Academy; and

S. 1653. An act to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1640. An act to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes; and

S. 1647. An act to amend the act approved March 2, 1895, as amended.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2037. An act to codify and enact into absolute law, title 9 of the United States Code, entitled "Arbitration";

H. R. 2038. An act to codify and enact into absolute law title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States";

H. R. 2039. An act to codify and enact into absolute law title 6 of the United States Code, entitled "Official and Penal Bonds";

H. R. 2040. An act to codify and enact into absolute law, title 1 of the United States Code, entitled "General Provisions";

H. R. 2973. An act to provide that no person shall publish or distribute any political statement relating to a candidate for election to any Federal office which does not contain the name of the person responsible for its publication or distribution;

H. R. 4140. An act to amend section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156-1157; 8 U. S. C. 734);

H. R. 4271. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; and

H. R. 4414. An act making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1945, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 72) to provide for appropriate commemoration of the Centennial of the Telegraph on May 24, 1944, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 2037. An act to codify and enact into absolute law, title 9 of the United States Code, entitled "Arbitration";

H. R. 2038. An act to codify and enact into absolute law title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States";

H. R. 2039. An act to codify and enact into absolute law title 6 of the United States Code, entitled "Official and Penal Bonds";

H. R. 2040. An act to codify and enact into absolute law, title 1 of the United States Code, entitled "General Provisions"; and

H. R. 2973. An act to provide that no person shall publish or distribute any political

statement relating to a candidate for election to any Federal office which does not contain the name of the person responsible for its publication or distribution; to the Committee on the Judiciary.

H. R. 4140. An act to amend section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156-1157; 8 U. S. C. 734), and

H. R. 4271. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; to the Committee on Immigration.

H. R. 4414. An act making appropriations for the legislative branch and for the judiciary for the fiscal year ending June 30, 1945, and for other purposes; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 72) to provide for appropriate commemoration of the Centennial of the Telegraph on May 24, 1944, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The VICE PRESIDENT. The next amendment reported by the committee will be stated.

The next amendment was, under the heading "Federal Power Commission—Salaries and expenses," on page 13, line 24, after the word "periodicals", to strike out "\$2,000,000" and insert "\$1,997,000."

The amendment was agreed to.

The next amendment was, on page 15, line 8, after the word "lithographing", to strike out "\$30,000" and insert "\$25,000."

The amendment was agreed to.

The next amendment was, under the heading "Federal Trade Commission," on page 15, line 20, after the word "act", to strike out "\$2,011,070" and insert "\$1,978,707."

The amendment was agreed to.

The next amendment was, on page 16, at the end of line 2, to reduce the appropriation for printing and binding for the Federal Trade Commission from \$48,900 to \$43,000.

The amendment was agreed to.

The next amendment was, under the heading "Federal Works Agency—Public Buildings Administration," on page 19, line 13, after "(45 Stat. 533)", to strike out "\$3,000,000" and insert "\$2,000,000."

The amendment was agreed to.

The next amendment was, on page 20, line 11, after the word "conductors", to strike out "and the purchase of two motor-propelled passenger-carrying vehicles; \$29,532,400" and insert "\$29,530,000."

The amendment was agreed to.

The next amendment was, on page 21, line 4, after the word "employees", to strike out "purchase, repair, and cleaning of uniforms for guards and elevator conductors, the purchase of one motor-propelled passenger-carrying vehicle"; and in line 11, before the word "Provid-

ed", to strike out "\$10,581,000" and insert "\$9,581,000."

The amendment was agreed to.

The next amendment was, under the subhead "Federal-aid highway system," on page 24, line 23, after the word "probation", to strike out the colon and the following additional proviso: "Provided further, That not to exceed \$55,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (23 U. S. C. 21, 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles."

The amendment was agreed to.

The next amendment was, under the subhead "Inter-American Highway," on page 27, line 11, after the words "Revised Statutes", to strike out "including the purchase of motor-propelled passenger-carrying vehicles."

The amendment was agreed to.

The next amendment was, under the subhead "Strategic highway network," on page 28, line 5, after "(23 U. S. C. 104)", to strike out "\$20,000,000" and insert "\$10,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Surveys and plans," on page 28, line 24, before the word "to", to strike out "\$5,000,000" and insert "\$4,000,000."

The amendment was agreed to.

The next amendment was, on page 29, after line 2, to insert:

All funds heretofore appropriated to the Public Roads Administration for the construction of roads but impounded or withheld from obligation or expenditure by any agency or official are hereby released and made available for obligation or expenditure for the purposes for which they were originally appropriated.

The amendment was agreed to.

The next amendment was, under the heading "Foreign-Service pay adjustment," on page 29, line 23, after the word "therein", to strike out "\$722,390" and insert "\$640,000."

The amendment was agreed to.

The next amendment was, under the heading "General Accounting Office," on page 30, line 8, after the word "periodicals" and the semicolon, to strike out "the purchase of one motor-propelled passenger-carrying vehicle"; and in line 10, after the word "vehicles", to strike out "\$1,200,000" and insert "\$1,198,600."

The amendment was agreed to.

The next amendment was, under the heading "Interstate Commerce Commission, salaries and expenses," on page 34, line 15, after the word "services" and the semicolon, to strike out "purchase (not to exceed seven)"; and in line 19, after the word "act", to strike out "\$3,260,000" and insert "\$3,250,000."

The amendment was agreed to.

The next amendment was, under the heading "National Advisory Committee for Aeronautics," on page 36, line 3, before the word "maintenance", to strike out "purchase"; and in line 10, after the words "in all", to strike out "\$23,220,130" and insert "\$23,218,830."

The amendment was agreed to.

The next amendment was, under the heading "National Archives," on page 37,

line 9, after the word "vehicle", to strike out "\$1,042,340" and insert "\$1,084,000."

The amendment was agreed to.

The next amendment was, under the heading "National Housing Agency, Federal Housing Administration," on page 43, line 10, after the word "exceed", to strike out "\$10,484,635" and insert "\$10,184,635."

Mr. BARKLEY. Mr. President, on that amendment I wish to call the attention of the Senate and of the Senator from Tennessee to a situation in regard to the Federal Housing Administration which it seems to me should justify the Senate in rejecting the amendment.

What the amendment does is to reduce by \$300,000 the appropriation for the Federal Housing Administration. As we know, the Federal Housing Administration is one of the agencies of the Federal Government that is really self-sustaining. All its expenses are paid out of its income, and, in addition to that, money is turned back into the Treasury.

We know that while the Federal Housing Administration is not now as active in the matter of financing the construction and repair of houses as it was prior to the war, yet I think we can all look forward to a very great increase in the construction and repair of houses throughout the United States when the war is over. Of course, no houses can be built now and very little repair work can be done because of the scarcity of building materials and because of priorities which are unobtainable in regard to building material of all kinds. I have no doubt that, just as there will be Nationwide road building inaugurated at the conclusion of the war under the provisions of legislation which I think we may anticipate to the same extent and along with it will come a resurgence of house building in the United States, because by the time this war is over and materials become available there will no doubt be a general desire and need for more houses in the United States to shelter people who are now being housed in various war areas by facilities which the Government has built. Those facilities will not be available in widely scattered sections of the country and there will undoubtedly be a great need for more housing facilities, affording an outlet for house-building material, and for the employment of carpenters, plumbers, and the like. It seems to me unwise to reduce by \$300,000 the appropriation for this self-sustaining agency, so that it will have to disband part of its organization in order to meet the reduced appropriation. It should be encouraged to be looking forward to the time when the Federal Housing Administration will be more greatly needed than it is now, and in my judgment even more so than it may have been when the organization was set up.

I am wondering whether the Senator from Tennessee does not realize the importance of this situation. I have here a copy of a letter furnished me by the Commissioner, which is a copy of a letter sent to the Senator from Tennessee. I was hoping really as much to persuade the Senator from Tennessee not to insist on the amendment as to have the Senate reject it.

Mr. ANDREWS. Mr. President, if the Senator will yield, how does the amount \$10,184,635 compare with former appropriations for the same purpose?

Mr. BARKLEY. I think the appropriation for the fiscal year 1944, which ends the 30th of next June, is \$11,159,830. That is \$929,000 plus per month, or \$6,509,000 for the first 7 months of the fiscal year. The appropriation carried in the bill as it passed the House was \$10,484,635, which is a reduction of about half a million dollars in the House bill from the current appropriation. The Senate committee amendment reduces it further by \$300,000.

Mr. ANDREWS. I thank the Senator. Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. OVERTON in the chair). Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. McKELLAR. The Senator from New Jersey [Mr. WALSH] spoke to me about this amendment. I do not see him in the Chamber at the moment.

Mr. McCLELLAN. I have sent for the Senator from New Jersey so that he may be present during the consideration of the amendment.

Mr. McKELLAR. The Senator from New Jersey spoke to me about this matter, and I had it investigated. I found that the amendment was reported by the subcommittee, and was agreed to as a matter of course. There is some overtime which necessarily will have to be taken care of in the appropriation, and, so far as I personally am concerned, I shall not ask that the amendment be agreed to.

Mr. BARKLEY. I thank the Senator from Tennessee.

Mr. McKELLAR. I am sorry the Senator from New Jersey is not present, because I told him I would let him know when we reached this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LANGER. On what page is the amendment?

The PRESIDING OFFICER. On page 43, lines 10 and 11.

The amendment was rejected.

Mr. HOLMAN. Mr. President, I had desired to ask what justifies increasing the amount.

Mr. McKELLAR. It is not an increase. There is a question of overtime, which has arisen under the law.

Mr. HOLMAN. I was merely interested in the question of dollars and cents.

Mr. WHITE. Mr. President, rejecting the amendment merely restores the amount provided by the House?

Mr. McKELLAR. Yes; and if it is not restored, I am informed, there will be a question as to paying for overtime.

The PRESIDING OFFICER. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the subhead "Federal Public Housing Authority," on page 46, line 8, after the word "exceed", to strike out "\$2,782,440" and insert "\$2,772,940", and in line 13, before the word "maintenance," to strike out "purchase (not to exceed 10)."

The amendment was agreed to.

The next amendment was, under the heading "Tariff Commission," on page 51, line 1, after "1330-1341", to strike out "\$930,000" and insert "\$980,000."

Mr. LANGER. Mr. President, I wish to go back to page 48 and ask for an explanation of the item in line 7. I desire to know how many rubber gloves we are buying for the Securities and Exchange Commission, and why we are buying any.

Mr. McKELLAR. I am sure it is a very small quantity. They are used by those doing photostatic work in the laboratory.

Mr. LANGER. There is no provision for a laboratory.

Mr. McKELLAR. No, but they have photostatic apparatus. When I said "laboratory" I was speaking very broadly. They carry on photostatic work, in which it is necessary to use rubber gloves.

Mr. LANGER. Can the Senator give us an idea as to what the appropriation amounts to?

Mr. McKELLAR. It is a very small amount. I can ascertain the figure and put it in the Record.

Mr. LANGER. May we pass it over temporarily?

Mr. McKELLAR. Very well.

Mr. BARKLEY. There is no amendment involved.

Mr. McKELLAR. The Senator from North Dakota would have to offer an amendment, if he desired to take out the word "gloves."

Mr. LANGER. I do not want to take it out, but I do want an explanation.

Mr. McKELLAR. I will find out about it.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 51, line 1.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the heading "Tennessee Valley Authority," on page 51, line 17, after the name "Kentucky" and the semicolon, to strike out "Watts Bar steam plant; Fort Loudoun Dam (including an extension to bring the waters of the Little Tennessee River within the pool of this project)."

Mr. BANKHEAD. Mr. President—

The PRESIDING OFFICER. The Senator from Alabama.

Mr. BARKLEY. Does this amendment and do the following amendments relate to the T. V. A.?

Mr. McKELLAR. Yes.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Byrd	Gillette
Andrews	Capper	Green
Austin	Clark, Idaho	Guffey
Bailey	Clark, Mo.	Hawkes
Ball	Connally	Hayden
Bankhead	Danaher	Hill
Barkley	Davis	Holman
Bone	Downey	Kilgore
Brewster	Eastland	La Follette
Brooks	Ellender	Langer
Buck	Ferguson	McCarran
Burton	George	McClellan
Bushfield	Gerry	McFarland

McKellar	Shipstead	Walsh, N. J.
Maybank	Stewart	Weeks
Millikin	Taft	Wheeler
Murray	Thomas, Idaho	Wherry
O'Mahoney	Thomas, Utah	White
Overton	Truman	Wiley
Radcliffe	Tunnell	Willis
Revercomb	Tydings	Wilson
Robertson	Vandenberg	
Russell	Walsh, Mass.	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

Mr. HILL. Mr. President, we have now reached the point in the bill where we have before us for consideration the amendments with reference to the Tennessee Valley Authority. If these amendments affecting T. V. A., sponsored by the Senator from Tennessee and approved by the committee, are adopted, every substantial decision with respect to the operation of this great enterprise will be moved to Washington. Under these amendments, absentee management in Washington, remote control of the details of operation of the T. V. A.'s vast power system, would be substituted for management by technicians in the Tennessee Valley, where responsibility now is lodged by act of Congress.

I cannot now recall a more dangerous step toward centralization in Washington than that before us. I am against these proposals. Senators who do not now speak out can never with good conscience rise to cry out against the evils of overcentralization in Washington. No Senator who votes now to approve the Senator's amendments can ever again complain about inefficiency and extravagance in the executive branch of the Government. For by the adoption of these amendments the Senate will have approved the impossible, wasteful, and unbusinesslike step of managing from the Halls of Congress a huge power system, 500 miles away from where we sit.

What is here proposed is a gross perversion of our system of constitutional Government. Congress was established to determine the policies of a great Nation, not to decide such technical questions as whether a transmission line should be of 154,000- or 66,000-volt capacity. These amendments depart from the great traditions of our democracy; for, by adopting them, we would remove to this far-off Chamber control over the details of a power operation. Mr. President, the Constitution intended that Senators be legislators, not electrical engineers.

It is an ironic circumstance that amendments that foster centralization in Washington should come from my distinguished friend the senior Senator from Tennessee, a Senator from a state that, like Alabama, stoutly opposes overcentralization.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend, the Senator from Tennessee.

Mr. McKELLAR. I should like to ask the Senator if he knows of any other department or activity of Government which collects money and which is not required by law to pay the receipts into the Treasury of the United States.

Mr. HILL. There are a number of departments of the Government which are

accorded certain discretionary powers and certain flexibility and independence in the operations they carry on.

Mr. McKELLAR. Which ones are they?

Mr. HILL. The R. F. C. has certain flexibility and certain independence, as also do the Export-Import Bank, the War Shipping Administration, and the Maritime Commission. However, there are a number of other agencies which have similar powers. If the Senator would like to have me do so, I could read a list of them into the Record.

Mr. McKELLAR. I should like to have a list of them read into the Record. I looked up the question, and the only one which was suggested to me was a small activity in the city of Washington, the Alley Dwelling Authority. I found that the Congress had either at the time of its creation or subsequent thereto required it to pay its receipts into the Treasury.

The R. F. C. is in a very different situation. It lends money. That is very different from collecting money for the Government. The Senator from Alabama knows—and the Senator voted for the T. V. A. Act, I am sure, if he was then a Member of the House or of the Senate—that the original T. V. A. Act of 1933, as passed by the Congress, required all receipts to be paid into the Treasury of the United States. The only reason why that provision of the act is not operative today is that in appropriation bills Mr. Lillenthal secured the enactment of a provision that he might use the receipts of the previous year. However, as a matter of fact, the original act contained a provision requiring the T. V. A. to pay the receipts into the Treasury of the United States.

Mr. HILL. Mr. President, in response to what the Senator has said, let me say that, of course, all receipts taken in by the T. V. A. and all receipts of other Government corporations finally go into the Treasury, as they should go. However, the Senator from Tennessee is in error, if he will permit me to say so, in his reference to the original act. I was not only a Member of Congress when the original act was passed but I was a member of the House committee which had jurisdiction over the matter in the House, and I sat on the conference committee as one of the House conferees. The original section 26 of that act contained the following provision:

The net proceeds derived by the Board—

That is to say, by the T. V. A. Board—from the sale of power and any of the products manufactured by the Corporation, after deducting the cost of operation, maintenance, depreciation, amortization, and an amount deemed by the Board as necessary to withhold as operating capital, or devoted by the board to new construction, shall be paid into the Treasury of the United States at the end of each calendar year.

That is exactly the language used in the original act, as that act passed the Congress of the United States. It gave to the T. V. A. Board the power to withhold operating capital. That is what I am contending for today, namely, that the Board may have certain leeway and

certain flexibility with reference to operating capital.

The truth of the matter is that the language of the appropriation bill which the Senator now seeks to change and amend is more stringent than section 26 of the basic T. V. A. Act.

Mr. McKELLAR. Mr. President, the Senator has spoken of what I propose to change and amend. The Senator is wholly mistaken. The House provision amends the organic act of the T. V. A. by permitting the money to be retained and used by the T. V. A. Board. My amendment or the amendment proposed by the committee is merely one to restore the original provision.

Now, I desire to read into the Record—

Mr. HILL. Just a minute, Mr. President. The Senator is entirely in error when he says that his amendment is merely one to restore the original provision. If the Senator from Tennessee will read the language of the original provision, as I have read it into the Record, he will observe that his amendment is nothing at all like the language of the original bill.

Mr. McKELLAR. It goes further than the language of the original bill.

Mr. HILL. No; it does not read anything like the language of the original bill. The language of the original bill permitted the Board to withhold receipts for operating capital or, as the language provided, to be devoted by the Board to new construction.

Mr. McKELLAR. Mr. President, if that had been correct—

Mr. HILL. Mr. President, let me say to the Senator that the question is not one of what is correct or what is not correct. The language I have read to the Senate is taken verbatim, ad literatim, from the original act.

Mr. McKELLAR. Let me read section 26 of the present law.

Mr. HILL. Very well.

Mr. McKELLAR. It reads as follows:

Commencing July 1—

Mr. HILL. Mr. President, there the Senator is in error again. What the Senator is seeking to read now is not what was contained in the original act. He has commenced to read section 26 as amended in 1935. However, if he wishes to read section 26, as amended in 1935, I shall be glad to have him do so.

Mr. McKELLAR. Mr. President, if the Senator is going to yield to me—

Mr. HILL. Let me say to the Senator, if he will permit me to do so, and then I shall yield to him, that he must remember that in 1933 the Congress passed the original act with section 26 in it. I have read to the Senate the language of section 26 of the original act. Subsequently, in 1935, the Congress amended the original act, and, in 1935, amended section 26 of the original act. If the Senator wishes to read section 26, as amended by the act of 1935, I shall be glad to yield to him. I shall read to the Senate section 26, as amended in 1935—in other words, section 26 as it now stands in the Tennessee Valley Authority Act, as amended. It provides as follows:

Commencing July 1, 1936, the proceeds for each fiscal year derived by the Board from the sale of power or any other products manufactured by the Corporation, and from any other activities of the Corporation including the disposition of any real or personal property, shall be paid into the Treasury of the United States at the end of each calendar year, save and except such part of such proceeds as in the opinion of the Board shall be necessary for the Corporation in the operation of dams and reservoirs, in conducting its business in generating, transmitting, and distributing electric energy and in manufacturing selling, and distributing fertilizer and fertilizer ingredients. A continuing fund of \$1,000,000 is also excepted from the requirements of this section and may be withheld by the Board to defray emergency expenses and to insure continuous operation.

That is section 26.

Mr. McKELLAR. And that is the present law.

Mr. HILL. Let me say to the Senator that that is not the present law, for this reason: In the various appropriation bills which have been enacted during the past 7 years, we have changed section 26, so that today the T. V. A. is really not operating strictly under section 26 as amended. Under the language of section 26 originally, and section 26 as amended, the T. V. A. could deposit its receipts anywhere it saw fit, withholding the receipts under the powers granted in section 26. In appropriation bills we provided that the T. V. A. should pay its receipts into a special fund in the Treasury. The T. V. A. receipts have gone into a special fund in the Treasury, and each year Congress has reappropriated the funds which have accumulated in the special T. V. A. fund, together with any other moneys which the T. V. A. needed for the operation of its projects.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McCLELLAN. Under the present procedure, which the Senator has outlined, are all funds expended by the T. V. A. now required to be appropriated by Congress from year to year?

Mr. HILL. No.

Mr. McCLELLAN. As I interpreted the Senator's statement, it implied as much.

Mr. HILL. The T. V. A. now has the power to draw on those funds for operating expenses or to meet emergencies.

Mr. McCLELLAN. Does this fund actually go into the Treasury of the United States?

Mr. HILL. No; it actually goes into a special T. V. A. fund in the Treasury.

Mr. McCLELLAN. A special fund set up in the Treasury?

Mr. HILL. A special fund set up in the Treasury.

Mr. McCLELLAN. After the money is paid into that fund by the T. V. A., can it withdraw it at will without an appropriation by Congress?

Mr. HILL. It can withdraw it to meet operating expenses, or to meet emergencies.

Mr. McCLELLAN. Can it withdraw all of it, or any part of it it may desire to withdraw, without an appropriation or affirmative action by Congress?

Mr. HILL. It can during that particular fiscal year.

Mr. McCLELLAN. And it is doing so now?

Mr. HILL. It is doing so now. It can do so for that particular fiscal year. To make that money available for the next fiscal year, Congress has reappropriated whatever might be left in the fund, and in addition appropriated any other moneys which might be necessary for the T. V. A.

Mr. McCLELLAN. During any particular fiscal year, it can withdraw any money it pays in, before the year is concluded.

Mr. HILL. That is correct. It has a great transmission line running from Tennessee into the Senator's State of Arkansas. If there should be a tornado and that line should be blown down, the T. V. A. could withdraw from this fund whatever might be necessary to rehabilitate and restore the line.

Mr. McCLELLAN. Aside from emergencies, can it withdraw money from the fund for any other purposes?

Mr. HILL. It can withdraw money from the fund only to meet emergencies, and for such other purposes as are set out in section 26—"in conducting its business in generating, transmitting, and distributing electric energy and in manufacturing, selling, and distributing fertilizer and fertilizer ingredients."

Mr. McCLELLAN. That is the purpose for which it functions?

Mr. HILL. That is the purpose for which it functions.

Mr. McCLELLAN. So it can withdraw money from the fund for any purpose for which it operates.

Mr. HILL. It has done some other work. It has conducted certain experiments. As the Senator knows, it has conducted experiments with reference to obtaining alumina from the clays of Arkansas. Instead of having to send to South America or the Far East to obtain aluminum clays, it has carried on experiments to ascertain if it is not possible to obtain alumina from the clays in Arkansas. If it should need extra money for those experiments, I doubt if it could take it out of the special fund. Those experiments have been directly appropriated for.

Mr. McCLELLAN. That is what I was about to ask. Has the money which it has expended for those purposes been directly appropriated?

Mr. HILL. Most of it has been directly appropriated.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. Does the Senator mean to say that funds for experimental purposes have been directly appropriated by Congress?

Mr. HILL. I do not mean to say that the Congress specifically used the words "alumina investigations," but it has made appropriations for investigations. In the language of the bill the Senator will find the word "investigations."

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ELLENDER. The Senator has stated that some of the funds of the T. V. A. are appropriated by Congress. Does he not refer to such funds as may be left over from year to year?

Mr. HILL. They were funds which were left over; and, particularly in the early days, there were large appropriations, because there was not much income.

Mr. ELLENDER. The Senator referred to funds left over from one year to another.

Mr. HILL. Funds which had been taken in as receipts, and which the Congress reappropriated for the next fiscal year. Some other funds have also been appropriated directly out of the Treasury. That was particularly true in the early days, before the T. V. A. had much income. In the early days the T. V. A. had a very small income and very large expenditures, because of the construction of many dams.

Mr. ELLENDER. I had reference to the income of T. V. A.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McCLELLAN. I am seeking information. Is there any other independent agency of the Government which operates in the same manner, and has a special fund from which it can make expenditures from time to time without direct appropriations by Congress?

Mr. HILL. Of course, there is no other agency operating exactly as the T. V. A. operates. It operates a power system, and also carries on work in the development of fertilizers. However, there are a number of agencies which are given flexibility, discretion, and independence in the handling of their funds.

Mr. McCLELLAN. That is by specific language, either in the basic acts creating such agencies, or in the appropriations made for their benefit.

Mr. HILL. That is correct. For example, this is the language of the Commodity Credit Corporation Act:

The Corporation is hereby authorized to use all its assets, including capital and net earnings therefrom and all moneys which have been or may hereafter be allocated to or borrowed by it, in the exercise of its functions as such agency, including the making of loans on agricultural commodities.

In the same way, certain flexibility and independence are given to the Export-Import Bank, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, the Federal Deposit Insurance Corporation, and the Inland Waterways Corporation. I am sure the Senator is familiar with the Inland Waterways Corporation, because it operates on the Mississippi River in his State. A similar flexibility exists in the operations of the War Shipping Administration, under the Maritime Commission.

When we have created a Government corporation and then have imposed upon the corporation duties and functions of a private corporation, we have given to the corporation the flexibility and independence which it had to have in order to function as a private corporation.

The fact is that when the President sent his message to Congress back in 1933 asking for the T. V. A. legislation, he used the following words:

To create a corporation clothed with the power of government—

Clothed with the power of government—

but possessed of the flexibility and initiative of a private enterprise.

That is exactly what we sought to do in setting up the T. V. A.—to give those powers to the T. V. A., just as I have said we have given kindred or similar powers to other corporations which carry on the business of a private corporation.

I wish to emphasize, Mr. President, that in the original act, and in the original act as amended in 1935, as well as in the language which has been carried in appropriation bills up to the present day, the T. V. A. has had this flexibility, this right, and this power to use the receipts for the purposes which I have previously stated and read from the act.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. If what the Senator says is correct, why did the T. V. A. ask for and receive from the other House an amendment to the bill? The amendment is somewhat different from what has been offered heretofore. The House is undertaking to change the law, and that is the only reason why the amendments which the committee has offered are in order. They would not be in order unless the House had endeavored to change the law.

Mr. HILL. I shall tell the Senator exactly why that was done.

Under the original section 26 of the T. V. A. Act as amended, there was no provision or requirement with reference to where or how the T. V. A. should deposit its funds. Under the original section 26, and under section 26 as amended, the T. V. A. could deposit its money in a bank at Knoxville, Tenn., or at Sheffield, Ala., or at any place it saw fit. It could put its money in many different banks.

The T. V. A., after operating for a little more than 2 years, and after many conferences with the Comptroller General and with the members of the House Committee on Appropriations, and more particularly with the then chairman of the House committee, Mr. Buchanan, Representative from Texas, concluded that it would make for better auditing by the Comptroller General, and that it would make for better reporting to the Congress, if, instead of the T. V. A. depositing its money, amounting to many millions of dollars in private banks, it should have a special fund in the Treasury, put the money into such special fund, and use the Treasury of the United States as its bank instead of using many different private banks. That was the reason for its practice, and I invite attention to the fact that in this very language on page 52, line 23, we find the words "subject to the provisions of section 26 of the Tennessee Valley Authority Act of 1933 as amended." Those

words were incorporated in the provision for the express purpose of retaining in the Tennessee Valley Authority Board the power given by section 26 to use the receipts for the purposes enumerated in section 26. So, when the money went into this special fund in the Treasury, the Board would not lose control of it, as it would lose control unless this particular language were in the bill. However, at all times, under section 26 originally, and as amended, under the language which has been carried in appropriation bills for the past 6 or 7 or 8 years, under all these provisions, the T. V. A. Board has had the power to check on these funds, to use them for the current expenses enumerated in section 26, in order to carry on its power operations and fertilizer manufacturing operations.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. The Senator mentioned the Tennessee Valley Authority being audited by the General Accounting Office. Am I correct in understanding that there was some question raised as to whether auditing by the General Accounting Office was required by law, and that an agreement was reached between the T. V. A. and the General Accounting Office looking toward the auditing of the Authority by the Comptroller General?

Mr. HILL. The Senator is correct.

Mr. AIKEN. There is still some question whether such auditing is required by law, is there not?

Mr. HILL. There was no question about it being required by law. Questions rose in the early days because, as we must recall, the T. V. A. project was a vast, new undertaking in our Government. We had never before had a great corporation such as the T. V. A. Some question arose in the early days about certain powers of the Comptroller General, but I say to the Senator that those questions have long been resolved, and there is no conflict at the present time whatever between the Comptroller General and the T. V. A.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. On the contrary, does not this bill provide for an appropriation of \$30,000, or an allotment of \$30,000, with which to pay for the auditing by probably a Montgomery auditing firm? It is a firm located in that neighborhood.

Mr. HILL. To which city of Montgomery does the Senator refer?

Mr. McKELLAR. I am referring to Montgomery, Ala.

Mr. HILL. No; the Senator is entirely in error. It was not any firm in Alabama.

Mr. McKELLAR. It was a firm located somewhere.

Mr. HILL. The T. V. A. has ordered that an audit be made by the Comptroller General, but it has also had a separate audit made by commercial auditors. I do not know that I wish to go into all the details at this particular juncture in my remarks. The kind of audit the T. V. A. receives at the hands of the

Comptroller General is different from that made by a commercial auditing concern. A commercial auditing concern goes into questions of depreciation, amortization, and all the many other questions which affect private corporations, matters with which the Comptroller General does not attempt to deal. The Comptroller General primarily goes into the question of whether or not the money was expended as the law provided it should be expended, and whether there has been an honest expenditure of the money. An audit made by a commercial auditing concern is a different kind of audit. The truth is that an audit made by a commercial concern is similar to calling in financial engineers, shall we say, for advice, to make sure that depreciation is properly being taken care of, that amortization is being properly taken care of, and to look into various matters of that kind.

In this connection I may say that the chairman of the Committee on Governmental Accounting of the American Institute of Accountants, and the executive secretary of the American Institute of Accountants, came to see me. They had no personal interest, for neither one of those gentlemen had ever been employed to audit the T. V. A.; neither one of them had ever made a dollar out of the T. V. A. However, they thought it was important that the Members of Congress realize there was a vast difference between the audit the Comptroller General makes of the average governmental agency and the business audit made by a private auditing concern. The truth is that a private concern goes over the whole system and provides a financial chart and compass by which to check on the many details and questions which must enter into sound and business-like operations of a great system such as the T. V. A.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. It is true, however, is it not, that an organization which is Government sponsored, known as the Tennessee Valley Cooperative Association, or some such name, is not audited by the General Accounting Office.

Mr. HILL. What is the name of the organization?

Mr. AIKEN. There is an organization known as the Tennessee Valley Cooperative Association. It is listed as a Government agency. I do not know what it is.

Mr. HILL. There may be some organization by that name in that section, but I may say to the Senator that any association or organization down there which is spending any Government money is certainly audited by the Comptroller General. There may be some kind of private R. E. A. outfit or some other association of farmers or even people in cities or towns that use the name Tennessee Valley Cooperative Association, but they are not in any way expending any Government money. They may be purchasers of the power. We have cooperative associations that purchase T. V. A. power, but they are not in any way expending Government funds

and they are not under the control of the T. V. A. They constitute purchasers from the T. V. A.

Mr. BARKLEY. I understand this Tennessee Valley Cooperative Association is an organization of consumers of power furnished by the T. V. A.

Mr. HILL. Yes; and they would not be spending any Government money and they would not be under the control of the T. V. A.

Mr. BARKLEY. That is as I understand it.

Mr. HILL. Their only connection with the T. V. A. would be that they would buy power from the T. V. A., just as there are a number of rural electric cooperatives among the farmers in Tennessee and Alabama who buy power from the T. V. A., but those cooperatives constitute separate organizations entirely from the T. V. A. and are not under the control in any way of the T. V. A.

Mr. President, at this point in my remarks I think I shall ask to have placed in the Record the statement submitted by Mr. George P. Ellis, chairman of the Committee on Governmental Accounting of the American Institute of Accountants. If any of the Senators interested in this subject would like to know about the independent audit, I shall be glad to read the whole statement; otherwise, I shall put it in the Record, and proceed with my remarks.

I may say, however, that if the Senate had heard the statements of these gentlemen about what an independent audit would do for T. V. A. and what it would mean to T. V. A. from the standpoint of sound financing and efficient and businesslike operations the Senate would want the independent audit made; I think there can be no question about that.

I notice that my distinguished friend, the Senator from Georgia, seems to be in agreement. I hope he is in agreement with me that it is a thing that ought to be done, and is done by every good businessman.

Mr. RUSSELL. I will say to the Senator from Alabama that I think it is tremendously important that such an audit should be made, because it would reach many funds in this operation that would not be touched at all by the Comptroller General.

Mr. HILL. Exactly. As the Senator from Georgia says, there is no doubt that an independent audit ought to be made.

Mr. President, I do not want to be critical of my friend from Tennessee or the committee which adopted his amendment, but here is a perfect illustration of what is encountered when a committee in Washington undertakes to operate the T. V. A. I know how it is with committees of which I am a member. They are under great pressure of time and under great stress and strain. The committee did not go into this; perhaps it did not have time to go into it, and on the face of it it looked as if it were a wasteful expenditure in that there would be two audits. The question might be asked why it is not sufficient to have one audit, an audit by the Comptroller General, who is paid by the Government and

has employees who are paid by the Government. Naturally, in the minds of many Senators the question arises, Why should we spend \$30,000 for another audit? The reason is that the audit made by commercial auditors becomes an entirely different kind of audit from the audit made by the Comptroller General, and is a very necessary audit for the operation of any business of the size and magnitude of the T. V. A.

I ask, Mr. President, that this statement in full be placed in the RECORD at this point.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Without objection, it is so ordered.

The statement is as follows:

STATEMENT BY COMMITTEE ON GOVERNMENTAL ACCOUNTING, AMERICAN INSTITUTE OF ACCOUNTANTS ON ELIMINATION OF APPROPRIATION FOR INDEPENDENT AUDIT OF T. V. A. FROM INDEPENDENT OFFICES APPROPRIATION BILL FOR 1945

We believe the appropriation for independent audit of the Tennessee Valley Authority should be restored for the following reasons:

1. (a) The audit conducted by the General Accounting Office does not accomplish the same purposes as the audit conducted by independent certified public accountants. The word "audit" is used in different senses. The type of audit conducted by the General Accounting Office is primarily designed to determine whether expenditures are legal and within the authorized appropriations. The type of audit conducted by independent certified public accountants is entirely different. It is designed to determine whether the balance sheet and income statement fairly present the financial position and results of operations of the corporation.

(b) Independent audit involves an extensive examination based on tests and samples of the accounts underlying the financial statements and a review of the internal control of the corporation to ascertain whether (1) the accounts are reliable, and (2) they fairly reflect the transactions.

(c) This type of examination conducted by independent certified public accountants requires a consideration of whether the accounting methods employed by the corporation are in conformity with generally accepted accounting principles, and whether or not they have been consistently applied from year to year.

(d) The form of independent accountants' report (or certificate) appended to financial statements of the Tennessee Valley Authority is the conventional form customarily found in conjunction with financial statements of large industrial enterprises. The wording of this report or certificate has taken on special meaning because of its relation to pronouncements of the American Institute of Accountants, the Securities and Exchange Commission, the New York Stock Exchange, and the courts. The independent certified public accountant who signs this form of auditors' report or certificate assumes the responsibility of demonstrating, if necessary, that he satisfied himself as to the fairness of the items in the financial statements by means of an examination made in accordance with generally accepted auditing standards applicable in the circumstances. These standards are well known in the accounting profession and the financial world, and are outlined in some detail in bulletins of the American Institute of Accountants, notably Examination of Financial Statements by Independent Public Accountants and Extensions of Auditing Procedures, as well as others of the series of bulletins, now numbering 18, known as Statements on Auditing Procedure.

2. (a) The Tennessee Valley Authority, while a Government corporation, engages in activities similar to those of privately owned enterprises. Its management is entitled to the assistance derived through an independent audit by professional certified public accountants just as it is entitled to legal counsel of the type available to privately owned industrial enterprises of the same nature.

(b) A comparison between the results of operations of the T. V. A. and privately owned enterprises of the same type would be more difficult if financial statements of T. V. A. were not audited in the manner customary among privately owned enterprises. The absence of the independent auditors' report or certificate would leave question as to whether generally accepted accounting principles had been followed in the presentation of the financial statements, and as to whether the underlying accounts and records had been tested and internal control reviewed in accordance with generally accepted auditing standards. It is believed that the type of audit conducted by the General Accounting Office does not lead to conclusions on these questions but rather on the legality and propriety of expenditures.

3. The standards and methods of governmental corporations ought not to be inferior to those of privately owned enterprises. It is significant that the Securities and Exchange Commission and the New York Stock Exchange require audits of corporations subject to their jurisdiction similar to the type of audit of the T. V. A. conducted by independent certified public accountants. Both the S. E. C. and the New York Stock Exchange accept the conventional short form of independent accountants' report or certificate which has also been utilized by the independent accountants who have audited T. V. A.

Respectfully submitted.

GEORGE P. ELLIS,

Chairman, Committee on Governmental Accounting, American Institute of Accountants.

Mr. HILL. Mr. President, the people of the State of Andrew Jackson, like the people of Alabama, have never looked with favor upon absentee control. They have been wonderfully well satisfied with the system Congress provided for the management of T. V. A. in 1933. They want major policies to be determined by the Congress. They want Congress to decide whether rivers should be developed and the general policy for their development. But the people want the day-to-day decisions through which management carries out those policies to be made close to them, responsive to their needs. If these amendments should become law, they will bring an end to the only real accomplishment in decentralization to which we can point.

Mr. McCLELLAN. Mr. President, will the Senator yield at that point?

Mr. HILL. I yield to the Senator from Arkansas.

Mr. McCLELLAN. For information, let me ask an expenditure be made in the further development of a river, such as the construction of new dams, without the dams having first been authorized by the Congress?

Mr. HILL. No; I should say that the dams have to be specifically authorized by the Congress.

Mr. McCLELLAN. In other words, the funds collected in the form of receipts by the T. V. A. from its operations, once deposited in this fund in the Treasury, cannot then be withdrawn and used for the

construction of new developments, such as dams on streams, until and unless such dams have been specifically authorized by the Congress?

Mr. HILL. I should say so. The Authority might use certain receipts to repair a dam or to do some small work of rehabilitation or restoration around a dam or something of that kind, or they might install additional transformers, but, so far as building a great dam on the river is concerned, I should say that T. V. A. would have to come to Congress and the dam would have to be specifically authorized.

Mr. McKELLAR. There is nothing in this proposed act by which T. V. A. would have to come to Congress.

Mr. HILL. There is nothing in the proposed act that would change the situation with reference to a dam. I have no complaint about the Authority having to come to Congress to construct dams. I think they ought to come to Congress if they are going to build a great dam, but I think they ought to be allowed to operate the power business on a businesslike, efficient basis, and in order to do that they must have a certain flexibility and leeway with reference to their receipts.

When the Senator from Arkansas pays his electric bill to the Potomac Electric Power Co., of Washington, he not only pays an obligation for electricity he has received, but he pays it on the basis that he will know that he is going to continue to obtain electricity; that if a storm comes or a tornado comes, or even if Washington should be bombed, the private power company will fix its lines and make such repairs as will enable him to continue to obtain electricity, without the company being compelled to come to Congress and get an appropriation.

Mr. McCLELLAN. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. McCLELLAN. If the power is granted to operate such installations and facilities as the Authority may have already constructed, and the Congress makes appropriations for their continuous maintenance and repair, I do not see that there is any particular argument that a fund should be set aside with which the Authority can do just as it pleases, when an appropriation can be made to meet contingencies.

Mr. HILL. The T. V. A. cannot do as it pleases with the fund. It is limited to the power granted in section 26 as amended. I will say, however, that when the appropriations are arrived at no man can foresee what the months are going to bring. I shall refer to that a little further on if I may go ahead, not that I do not want to answer the Senator's questions, for I shall be glad to do so. However, let us see what happens. The T. V. A. will go to the Budget Bureau along in August or September and submit an estimate. The money appropriated according to the estimate will not be available until the following July, and it will have to last through the whole fiscal year. So they submit their estimates more than 18 months in advance for

their appropriations, and no man can foresee that far ahead.

Mr. McCLELLAN. Mr. President—

Mr. HILL. I do not want to cut off the Senator from Arkansas, but I intend to speak upon that later.

Mr. McCLELLAN. I merely want to make one further observation. If a contingent fund is needed for emergencies and for operation expenses, the point I make is, Do they need all the revenues they take in and hold in such a fund, which they can use at will? Would it not be better governmental procedure to make a special appropriation to meet such contingencies from time to time?

Mr. HILL. It is my very definite opinion that they should be allowed to use their receipts, rather than be dependent upon action by the Congress. I do not mind saying to the Senator from Arkansas that my colleague, the senior Senator from Alabama, and I have had this matter of appropriations brought very close home to us. The Tennessee Valley Authority, on the recommendation and approval of the War Production Board, came to the Congress to ask for money with which to provide a phosphate plant, to be built for war purposes primarily, and secondarily for the production of fertilizer. The Tennessee Valley Authority selected Mobile, Ala., as the site for this plant because of its proximity to the Florida phosphate rock. Due to the long delay in the Congress in getting the appropriation through, that plant never has been built, and may never be built. It was delayed for so many months here in the Senate of the United States that the War Production Board made other plans, and had to use other facilities, and I am not sure that the plant will ever be built.

Mr. McCLELLAN. May I make one observation on that?

Mr. HILL. I yield.

Mr. McCLELLAN. It may have been the wise thing to construct that plant, but we do not want to turn over such normal and proper functions of the Government and of the Congress to some independent agency, and take the position that the Congress cannot function with respect to the enterprise of building a new plant or not building it. That would not be sound policy.

Mr. HILL. I may say to the Senator, as I stated earlier in my remarks, that so far as the policies are concerned, of course Congress should fix the policies.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. I should like to ask the Senator from Alabama if it is not true that when the T. V. A. has come to the Congress for an appropriation for new construction, as it did 3 years ago, there has been deducted from the amount which is required for the new construction the amount which it has on hand which is available and which it could take from its pockets?

Mr. HILL. The Senator is correct.

Mr. AIKEN. It contributed about \$15,000,000 toward permanent new construction from the profits which it had made, did it not?

Mr. HILL. That is true. The Senator is exactly correct.

Mr. AIKEN. To that extent its operating income can be used for construction purposes, but with the consent of the Congress?

Mr. HILL. That is correct. The Senator is exactly right.

Mr. McKELLAR. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. McKELLAR. I wish to make a statement, then to ask a question.

The T. V. A., without consulting Congress, or without asking permission of the Congress, spent between seven and eight hundred thousand dollars, as I recall, in purchasing a phosphate farm in Williamson County, Tenn., for the purpose of manufacturing phosphate. A short time later they bought another phosphate farm costing a little less—upward of \$500,000 in Maury County.

The Senator now says that the purpose of the T. V. A. is to go to Mobile and build a plant there for the purpose of producing phosphate from Florida rock. I ask the Senator, is it not remarkable that the T. V. A. is buying phosphate lands in Tennessee, and is going to build a phosphate plant in southern Alabama for the purpose of manufacturing phosphate from Florida rock? Buying those lands merely shows the utter disregard the present Tennessee Valley Authority has for the Congress.

Mr. HILL. No. Did the Senator in his committee go into the question of the purchase of the lands in Tennessee?

Mr. McKELLAR. No.

Mr. HILL. That is the point, exactly. The committee did not go into that question. The Senator raises it here on the floor. He had every opportunity in the world to go into it.

Mr. McKELLAR. There is a statement in the record about the Tennessee lands and the Mobile plant.

Mr. HILL. It was referred to without any real exploration into the matter as to when these lands were bought, why they were bought, whether or not they were bought at the instigation of the War Production Board, or why they should have been bought at all. I do not hesitate to say that if the purchase of these lands were investigated, and all the facts were brought to light, the overwhelming chances are that the Senate would say that those lands should have been bought.

Mr. BANKHEAD. Mr. President—

Mr. HILL. I yield to my colleague.

Mr. BANKHEAD. In explanation of the statement of the Senator from Tennessee that the T. V. A. acquired phosphate lands arbitrarily, and without authority of Congress, as I understood him to say, I call attention to the fact that application for this action was made to the Committee on Appropriations, and there was included in the bill before the Committee on Appropriations 2 or 3 years ago—I presented the request myself—authorization for the construction of the phosphate plant which has been referred to, and that has been carried continually in the appropriation bills since, because the Authority was unable

to carry out the original provision because of priority orders, and the matter is still in that situation. The authority is contained in the bill now before the Senate.

Mr. HILL. Certainly; there is provision in the bill now for that.

Mr. BANKHEAD. So that there is no occasion for criticism about the phosphate plant being decided on without authority of Congress, or arbitrarily by the Authority.

Mr. TUNNELL. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TUNNELL. I do not know the operation of the Tennessee Valley Authority, and should like to ask a question for information. As I understand, the Government has entered into an immense business. I take it that there must be thousands of operations yearly in the transaction of this business.

Mr. HILL. That is correct.

Mr. TUNNELL. Under the method by which the business has been conducted, the receipts are used in the operation of the business. Does the Senator think it would be possible to have a separate appropriation for each transaction incident to that business?

Mr. HILL. I do not.

Mr. TUNNELL. So that in the actual operation of the company there must be reliance upon somebody's judgment, some executive's judgment.

Mr. HILL. The Senator is exactly correct.

Mr. TUNNELL. As I understand, it is now a question of whether the amounts of money referred to should be appropriated in advance and then used, or whether they should be taken in by the Authority in the transaction of its business and used by the executive. I wish to ask the Senator whether in each case the actual expenditure would not be left to the judgment of the same individuals.

Mr. HILL. It should be left to the managers of the T. V. A.

Mr. TUNNELL. And it would be, would it not?

Mr. HILL. I do not know whether it would be or not. If there were a Congress which was not in sympathy with the T. V. A., it might not be left to them.

Mr. TUNNELL. It never would be spent, under the plan suggested by the Senator from Tennessee?

Mr. HILL. The Senator is exactly correct.

Mr. TUNNELL. Let me ask a further question. Are repairs made from the money which is obtained from the operation of the business?

Mr. HILL. They are.

Mr. TUNNELL. According to the plan of the Senator from Tennessee, would there have to be an appropriation for the repairs?

Mr. HILL. There would have to be.

Mr. TUNNELL. If there were no appropriation to fit a particular repair, it would have to wait until Congress met, perhaps?

Mr. HILL. The Senator is exactly correct, and I thank him.

Mr. McKELLAR. If we did not make appropriations for the Army of the

United States, the Army could not function, could it?

Mr. TUNNELL. If I may answer that suggestion, I should say that I do not think the purpose of the Army of the United States is to manufacture and sell an article.

Mr. McKELLAR. No; but they do much of that very thing.

Mr. TUNNELL. No; they sell only what is left over. That is not their business. Their business is destruction, rather than manufacture.

Mr. AIKEN. Will the junior Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. AIKEN. The income of the Army of the United States is not greater than the expenses, as is the case with the T. V. A.

Mr. HILL. I thank both Senators.

Mr. McCLELLAN. May I further interrupt?

Mr. HILL. I yield.

Mr. McCLELLAN. The Senator from Delaware suggests that this enterprise would not be able to function if it had to come to Congress for appropriations as all other governmental agencies do. Do we not make appropriations now for the Army and the Navy to operate our locks and dams and flood-control installations on the different streams? We do not make appropriations for each little item of repair or for each little dredging operation on this or that particular curve in the river. It is more or less done where such operations are carried on under the specific appropriations of Congress.

Mr. HILL. That is true. As the Senator knows there has been a great variance in the past. Sometimes Congress has made very liberal appropriations for such items and at other times it has made more meager appropriations for them. There has been a very great variance. I myself have seen great dredges tied up, not doing anything, when a job was needed to be done. "Why are these dredges tied up? Why is this job not being done?" "We have no money with which to do it."

Mr. McCLELLAN. That poses this question: Are we taking the position now that in these matters the Congress cannot function efficiently, or that we are going to yield to the more expedient way of doing it and delegate more of our powers, and not retain the responsibility in the Congress?

Mr. HILL. No, not at all. As I said in the beginning, the Congress ought to lay down the general policies, but so far as operating or managing a power system is concerned, the Congress cannot do it and ought not to try to do it; it was not created or established to do it.

Mr. McCLELLAN. I understood the Senator awhile ago in his illustration to indicate that he felt that some things are being done which can be done now under the present flexibility of operations and authority granted, whereas if it were left to Congress there might be an unfriendly Congress, and therefore the work might never be done. The point I am making is, that an unfriendly Congress might be the Congress which

represented the will and sentiment of the people at that time.

Mr. HILL. Of course, that is so.

Mr. McCLELLAN. And to keep government what it ought to be, final decision as to whether the work should be done or not done should rest with the Congress and not some board or commission.

Mr. HILL. I agree with the Senator exactly that the fundamental question as to whether or not this power system ought to be operated or ought not to be operated should be determined by the Congress. Of course, the Senator knows that the Congress today, if it wanted so to do, could repeal the Tennessee Valley Authority Act and could offer its properties to the highest and best bidder. It could make any disposition it saw fit of these properties. It has that power. But I say that, so long as Congress has this agency operating as a power system, with thousands of consumers, and hundreds of industries, and great cities dependent upon the power it furnishes, the Congress ought to set the broad policies and permit the day-by-day management and operation of the system to be conducted by the technicians on the job at the power system.

Mr. McCLELLAN. I wish to say to the Senator that I agree exactly with what he has said. I do not want to see the T. V. A. crippled. I do not want to see the law repealed. I do not want to see the operations hampered. That is not what I have in mind. But at the same time, I do not want to agree with the implication of the Senator that we should simply turn over the control and operation without taking the responsibility for what is being done.

Mr. HILL. The Senator is exactly correct. We have the prime responsibility and we should determine the policies and see that the policies are carried out. But the detailed operation should be in the hands of the managers on the job with the power systems.

Mr. BONE. Mr. President—

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Alabama yield to the Senator from Washington?

Mr. HILL. I yield.

Mr. BONE. I take it from the argument of my able friend, the Senator from Alabama, that his view is that in a major operation such as the building of a great dam for power purposes or flood control the Congress in such an instance should determine the policy, but for the mechanics of operation, the physical process of turning the turbines and generators and selling power, and putting out power lines, that function should be the function which we have created by the act. Am I correct?

Mr. HILL. The Senator has stated the matter much better and much more definitely than I could have stated it.

Mr. BONE. I should like to make one comment at this moment which I am sure touches a matter that all lawyers who have been in active practice in the utility field will readily recognize. The courts of my State, and I think the courts of

most of the other States where this question has been at issue, have held that where a public body, such as a city or a State, or a county, goes into the power business, it is performing thereby not a government function as it is commonly understood, but it is performing the function of a private proprietor. Therefore, we are forced, if we are realistic, to consider the necessity of giving this instrumentality we have set up some of the necessary flexibility of a private corporation if we expect it to perform a useful function and do it efficiently.

I can understand the difficulties we all face in a legislative body in deciding some of these problems, such as the Senator from Arkansas (Mr. McCLELLAN) has referred to. He wants Congress to keep a finger in the pie, so to speak, and have control. On the other hand, we are turning wheels in the Tennessee Valley and producing a commodity. We might as well be producing sugar or cement or something else. We all want to have this project operated as efficiently as possible. Therefore the T. V. A., as well as the Bonneville project in my section of the country, in addition to whatever check the General Accounting Office has on them, called in private accountants and had them make a commercial audit, which goes, as the Senator from Alabama suggested, much deeper and over a wider field than a strict audit by the Comptroller General, which deals only with the legality of expenditures. The commercial audit dips its fingers into crevices and crannies which are not touched by a strict audit of the Comptroller General. Therefore, anyone curious about the functioning of the Corporation would find in the pages of the commercial audit much more meat, much more factual material than he would find in the cold audit of the Comptroller General.

I myself think it is an excellent idea to have both types of audits. The Comptroller General by his audit would say whether the money involved was spent lawfully. The private audit would establish whether value was received for the money expended.

Mr. President, when we had before us the matter of establishing the Northwest Power Authority, I attempted to insert in the law provision for a commercial audit, because I think it is a splendid idea to place the results of such a commercial audit in the hands of Members of the Senate and the House. Anyone in Congress who is familiar with the A B C's of a commercial audit could find out from it exactly what was going on. It is a much more revealing sort of record than that which we obtain from the Comptroller General.

I think the T. V. A. has done Congress a service in providing a commercial audit. I think it is an excellent idea, and I think we should not repeal the provision for such an audit. The expenditure of \$30,000 for the purpose is as nothing compared with one's ability to place his finger on some leak which might cost 20 times as much.

Mr. McCLELLAN. Mr. President, I wish to make one observation based on the statement made by the Senator from

Washington. The audit of the General Accounting Office, the Comptroller General, determines the legality of the expenditures and reveals whether the money has been spent within the authority delegated by the Congress. The private audit may reveal the wisdom of such expenditures.

Mr. BONE. That is correct.

Mr. McCLELLAN. So I think that together they serve the whole purpose.

Mr. BONE. I think it is an excellent idea to have both audits.

Mr. HILL. Yet under the committee amendment the T. V. A. could not have the private audit.

Mr. BONE. I think that is correct. I think they complement one another. They rather give us a chance to check the commercial audit against the Comptroller General's audit, and vice versa; and if some error shows up, we can easily catch it.

Commercial audits are liable to take up items such as obsolescence, depreciation, and many other elements which would not be touched by the Comptroller General, as I understand his activities. I may not be too well informed about the matter; but so far as I know, the Comptroller General does not touch many angles which are vital to the success and welfare of any organization or corporation. As I understand the operations of organizations such as Bonneville and Coulee, I should want to know what their transactions were. If I were sitting in the saddle of authority over them, I should want to know what they were doing, the physical condition they were in, and all the other matters which a commercial audit probably would reveal to a large extent.

Mr. HILL. Yes; but, Mr. President, as I have said, under the pending amendments the Tennessee Valley Authority is denied the right to have such a commercial audit made.

Mr. BONE. Yes; I understand that.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. I wish to preface what I shall say by a word about the policy of which the Senator has spoken. The Senator has said that the Congress should confine its activities to policy making. The Congress has invested—and did so quite largely at my request—between \$750,000,000 and \$1,000,000,000 in the Tennessee power plants. The Congress has furnished all the money. Is it not a policy of the Congress to say whether the receipts of that concern shall be turned into the Treasury of the United States, as was provided in the original law, in part, at least? Is not that a policy, namely, to say whether the receipts shall be turned into the Treasury, so that the Congress can at all times fix the policy?

Mr. President, if that is not done, we shall have no authority at all over the Tennessee Valley Authority; we shall have no means of determining what it is doing.

We have spent this money. It is our duty to safeguard it. I am in favor of giving the Tennessee Valley Authority

every dollar it needs. But to build up reserve funds, to allow the Tennessee Valley Authority to use its receipts, constituting enormous sums of money, without coming to Congress and telling Congress what it wishes to use them for, without a word about their expenditure—

Mr. HILL. Mr. President, I should like to yield to my friend, of course—

Mr. McKELLAR. Does the Senator believe we should have such a policy?

Mr. HILL. Of course, I do not; and I wish to say that for all the years since 1933, when we established the Tennessee Valley Authority—and this is the year 1944—the T. V. A. has been coming to the House Committee on Appropriations and to the Senate Committee on Appropriations, and has been giving those committees full and complete information respecting all its operations and the details of its operations. We have had our hands and our check and our control on the Tennessee Valley Authority during the past 11 years. The check has been a good one. The control has been a good one. No Member of the Senate will rise on this floor to say that under that system the Congress has not performed its duty or that the Tennessee Valley Authority has not done a good job. Why change the system now?

The Senator from Tennessee [Mr. McKELLAR] has sat all these years as a member of the Senate Committee on Appropriations. Year after year when the present system has been in operation he has sat on that committee. He raised no question about the present system until 2 years ago, when he made a motion to strike out the House provision, and to provide that the money should go into the Treasury; but before that he had gone right along as one of the best friends of the Tennessee Valley Authority.

Mr. McKELLAR. Mr. President, the Senator certainly would not want me to remain silent after a statement of that kind. Two years ago—

Mr. HILL. I said until 2 years ago.

Mr. McKELLAR. Until 2 years ago, the T. V. A. was not receiving money. The dams were put in operation only approximately 2 or 3 years ago. As soon as they began to make money, the Tennessee Valley Authority wanted the Congress to take its hands off. But before that, when the T. V. A. had to come to Congress for its money, the story was a very different one.

Mr. HILL. No, Mr. President. The receipts in the earlier years were not large, but the T. V. A. has been taking in money each and every year from the minute it took over the power projects in Tennessee. The T. V. A. began to receive money at once. Of course, the receipts have grown during the years, but the T. V. A. has had substantial receipts during all the years of its existence.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. WHERRY. I did not quite understand the answer the Senator gave to the question of the distinguished Senator from Delaware [Mr. TUNNELL] about the use of this money by the Executive or by

the independent office, from the reserves set up. The Senator's answer was, I believe, that an unfriendly Congress might not appropriate the money for the purpose for which the independent agency might wish to use it—money which otherwise would go into a reserve fund. Am I correct about that?

Mr. HILL. There might be much delay and much thwarting on the part of Congress.

Mr. WHERRY. But the Senator is not advocating that an independent agency set up reserves, is he?

Mr. HILL. Of course not. Under the present law the Congress, through the appropriations committees, has the whole picture before it. For the last 11 years the Congress, through the appropriations committees, has had the full and complete picture of the expenditures made under the Tennessee Valley Authority. I have before me the Bureau of the Budget estimates for the year 1945. They give the full and complete story of the expenditures and of what is proposed for the next fiscal year, beginning July 1.

Mr. WHERRY. The Senator is not asking that an extension of power be given to this independent agency, in order to enable it to set up reserves which it might spend, but which it could not otherwise receive if it came to an unfriendly Congress and requested the appropriation; is he?

Mr. HILL. Not at all. I am asking that the T. V. A. be permitted to operate in the future just as it has been permitted to operate in the past.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. McKELLAR. I wish to say that, insofar as reserves are concerned, the bill as passed by the House contains a provision for a little more than \$10,000,000 of reserves. Under that provision, the T. V. A. will receive in receipts and in unexpended balances \$10,000,000 more than it expects to expend during the coming year. It is requesting that, in addition to the money which is required for its own operations, the Congress set up a reserve of \$10,000,000, or a little more, for it to use as it likes.

Mr. HILL. Mr. President, I do not agree at all with the Senator on that proposition.

Mr. McKELLAR. If the Senator will look at the bill, he will see that the provision is as I have said.

Mr. HILL. The T. V. A. does not request \$10,000,000 for it to use as it likes. The T. V. A. wishes to have the reserve available in the event it constructs a phosphate plant or in the event it carries forward the construction of the Watauga and the Holston Dams.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHERRY. I still am not clear about what the Senator meant when he answered the Senator from Delaware. What did the Senator from Alabama mean when he said that an unfriendly Congress might not appropriate the money which the executive or the agency

might require in order to carry on the operations of the T. V. A.?

Mr. HILL. There might be a storm, a tornado, or a flood.

Mr. WHERRY. Could not the T. V. A. now repair such damage?

Mr. HILL. Certainly.

Mr. WHERRY. That does not answer my question. What does the Senator mean by saying that an unfriendly Congress might not grant an appropriation?

Mr. HILL. I am not trying to change the system. What I am fighting for is to let the system remain as it is, that is, with authority in this board to make repairs and do such other things as may be necessary for the maintenance and operation of the power system.

Mr. WHERRY. Does the Senator mean that, if the amendment of the committee were adopted, the T. V. A. would have to come to Congress and ask for appropriations to repair lines?

Mr. HILL. The T. V. A. might have to come to Congress and ask for an appropriation to put one additional transformer on a power line.

Mr. WHERRY. The authority which the Senator is asking for is authority to use the funds of the T. V. A. in the manner described if an unfriendly Congress should not grant an appropriation. There would be a reserve to take care of it.

Mr. HILL. No. The Senator speaks of an unfriendly Congress—

Mr. WHERRY. The Senator brought that up.

Mr. HILL. There might be a friendly Congress which was busy with many other things. It takes time to get appropriation bills through Congress.

Mr. WHERRY. The Senator made the remark about an unfriendly Congress. I am trying to find out what limitation would be imposed on the T. V. A. by an unfriendly Congress which might make it desirable to establish reserves.

Mr. HILL. Today the T. V. A. can use its receipts for the operation of its power business. If it had to come to Congress to get all its money, and could not use its receipts, if there were an unfriendly Congress it might delay and hamper the T. V. A. It might dally with the requests for appropriations. I say that the power consumers of the Tennessee Valley have the right to have constant delivery of power, just as they would have the right to have constant delivery of power from a private company.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator if he does not think there is a middle ground between the two extremes. One extreme is to allow the T. V. A. directors—namely, Mr. Lillenthal and company—to treat these funds as their own private funds, and to do with them as they please, possibly even to the extent of opposing the senior Senator from Tennessee or the junior Senator from Tennessee in a campaign for reelection. There is quite a difference between allowing them to treat those funds entirely as their own private funds, to do with as they please, and establish-

ing a reasonable discretion for them to use the funds for repairs, as the Senator has described, to keep the T. V. A. in operation as a going concern. It seems to me that there is a tremendous difference between the two extremes which have been presented to the Senate.

Mr. HILL. The Senator is entirely correct.

Mr. CLARK of Missouri. No one wishes to hamstring the Tennessee Valley Authority as a going operation.

Mr. HILL. The Senator is entirely correct in what he says. There is a vast difference between the two extremes. Certainly, the Tennessee Valley Authority has no right, and no employee of the Authority or any member of its Board has the right, to use any of its funds for the purposes indicated by the Senator from Missouri.

At the beginning of my remarks, when the Senator was absent from the Chamber, I called attention to the only purpose for which the Tennessee Valley Authority can use its receipts, as set out in section 26, in these words: "In conducting its business in generating, transmitting, and distributing electric energy and in manufacturing, selling, and distributing fertilizer and fertilizer ingredients."

That is the power which we fight to preserve in the Tennessee Valley Authority Board. We are not asking for any additional power, but we do think that the Authority ought to have the power now granted in the basic law.

Mr. CLARK of Missouri. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. CLARK of Missouri. So far as I am concerned, I have no complaint as to the business operations of the Tennessee Valley Authority. From what I know about it, I think it has done a splendid job. However, I do object very much to the political activities of the Tennessee Valley Authority. The junior Senator from Tennessee [Mr. STEWART] has told me that Mr. Lillenthal, who is on a salary in the Tennessee Valley Authority, went into Tennessee, where, of course, he is a carpetbagger, and has no status as a citizen of Tennessee, as a Government employee—at least, I assume that an employee of the T. V. A. is a Government employee, despite the fact that the T. V. A. is able to control its own funds—to make speeches against the junior Senator from Tennessee. Whatever Mr. Lillenthal might say as a carpetbagger temporarily sojourning in Tennessee would have no influence; but when Mr. Lillenthal, the head of the T. V. A., makes speeches which might be calculated to coerce such of the army of employees of the T. V. A. as are qualified voters in Tennessee, to my mind that presents a very serious question. It is to that question that I am addressing myself.

So far as I am concerned, for some of these amendments I would not be inclined to vote; but if Mr. Lillenthal has been using the prestige and power of his position as head of the T. V. A. to coerce his army of employees and engage in Tennessee politics, then I will vote for

any restrictive amendment on the T. V. A. which may be suggested. Otherwise, so far as the business administration of the T. V. A. is concerned, I have no complaint to offer.

Mr. BONE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BONE. I should like to say to my able friend from Missouri that I am constrained to agree with him. Abuses such as he has described might grow up; but I do not wish to be compelled to accept a great number of amendments which are unpalatable merely in order to achieve one objective which may be desirable. There is no distinction. The amendments are lumped together and we are asked to vote on the whole group of them, and, nolens volens, we shall vote on them. I do not wish to have to take 40 kinds of medicine in order to take 1 particular brand.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. Let me say to the Senator that he will have ample opportunity to vote on each and every amendment separately. I think they ought to be voted on separately.

Mr. HILL. If I may have the attention of the distinguished senior Senator from Missouri [Mr. CLARK], I will say to him that I do not condone any such political activity as he has described.

Mr. CLARK of Missouri. My information on the subject comes entirely from the two Senators from Tennessee.

Mr. HILL. I wish to be perfectly candid with the Senate—

Mr. STEWART. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. STEWART. Inasmuch as my name has been mentioned by the Senator from Missouri in connection with the political activities of Mr. Lillenthal, let me say that it will be recalled by the Senator from Missouri, and possibly by other Senators, that more than a year ago, when a colloquy occurred on this floor in which several Senators participated—I do not now recall what evoked the colloquy—I related what had happened in the political campaign of 2 years ago with respect to Mr. Lillenthal, who I believe was then the Chairman of the Tennessee Valley Authority, and is now the Chairman. Quoting from memory, I will repeat what I said on that occasion.

About 3 weeks before the August primary in 1942, in which I was a candidate, Mr. Lillenthal, in a speech which he delivered before the Kiwanis Club of Knoxville, Tenn., stated that "We have defeated them on the Washington front." A T. V. A. amendment had been defeated by the House only a few weeks before that. "Now I warn the people of the valley against the establishment of a second front in Tennessee."

I saw that article on the front page of the Chattanooga Times, as I recall, on the day I spoke in Chattanooga. I stated in my speech that I and others who read the article construed it as a challenge to my candidacy. I stated that I believed that Mr. Lillenthal was

subject to the Hatch law, and to other statutes preventing political activities on the part of certain Government employees; that his speech was a political statement, made to arouse opposition to me; that I accepted his challenge; and that if I misconstrued his statement, the press was still open to him to correct it. I received no reply from him.

That is what occurred, and that is what I previously related on this floor.

I shall make a statement before the debate on the T. V. A. amendments is concluded. I shall support some of the amendments, and some I cannot support. However, I shall certainly support any amendment which would prevent political activity on the part of T. V. A. employees.

Mr. BANKHEAD. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. BANKHEAD. This amendment deals with the receipts of the Corporation. From what the Senator has said, I do not infer that what Mr. Lillenthal did on the occasion referred to violated any moral principle, or the rules of the T. V. A. It seems to me that what the Senator has referred to was not related in any way to the disposition of or the proper handling of the funds of the T. V. A.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. The Senator has referred to me. Bless his soul, the political activities against my colleague are a mere zephyr compared to what this remarkable employee of the Government has been doing to me for many years. He has been fighting me day and night, in almost every speech he has made throughout the State. My friends have written me for several years concerning his extreme opposition to me. He wants a better Senator from Tennessee. He wants someone to be elected in my place. Perhaps he is right. I admit to being a very poor Senator, but, by heavens, I do not like to have the head of the T. V. A., who was imported from some other State, come to Tennessee and take sides in politics against me. He did that in 1940. He has constantly done so all over the State in speeches he has made. I do not know what my colleague thinks about it, he may think it is all right. He may think it will do him good. However, I do not want it to be done, especially while the Hatch Act is in force. I am sorry the Senator from New Mexico [Mr. HATCH] is not present, because I think this is the only good word I have ever spoken for the Hatch Act. I understand that Mr. Lillenthal is a policy-making official of the Government, and claims not to be under the Hatch Act. He will claim anything on earth which will be of any benefit to him.

Mr. HILL. Mr. President, I should be the last man in the Senate to want Mr. Lillenthal to engage in any kind of politics, or make any kind of an attack on the Senator from Tennessee. The Senator has said that Mr. Lillenthal has been fighting him for many years, and as I understand the Senator, Mr. Lill-

thal has been making speeches against him. Am I correct?

Mr. McKELLAR. Yes; he attends meetings of the Rotary Club and of chambers of commerce. His favorite organizations, I believe, are chambers of commerce, Rotary Clubs, Kiwanis Clubs, and various noonday clubs which exist all over the country. He acts in a way similar to that which was referred to in reference to Mr. A. E. Morgan, his former associate. He eases in and eases out, but condemns me all the time. [Laughter.]

Mr. HILL. Allow me to ask the Senator a question. Can the Senator give us a quotation from some speech which Mr. Lillenthal has made in which he has attacked the Senator from Tennessee?

Mr. McKELLAR. I did not understand the Senator's question.

Mr. HILL. Can the Senator give us a quotation from some speech which Mr. Lillenthal has made concerning the Senator from Tennessee?

Mr. McKELLAR. No; I do not have with me a copy of any speech of Mr. Lillenthal. I shall be very happy to furnish the Senator letters showing various places in my State where Mr. Lillenthal has been. Citizens of my State have written me and told me that he has been in those places fighting me. They have called me on the telephone. I have received telephone calls within the last few days in which I was told about the fight Lillenthal has been making upon me. That may be all right for this great head of the Tennessee Valley Authority. He has not hurt me thus far, and I do not believe he will hurt me in the future. However, it does not make me like him any more. [Laughter.]

Mr. HILL. Of course, Mr. President, Mr. Lillenthal has no right to make any attack on the Senator from Tennessee, or, for that matter, on any other Senator. I myself have never seen any statement from Mr. Lillenthal which in any way brought the Senator from Tennessee into question. I have never seen any statement which anyone purported to believe brought the Senator into question. It is true, Mr. President, that Mr. Lillenthal makes a great many speeches. He comes into Alabama occasionally and makes speeches there. However, if he has ever said anything in Alabama of a political nature, I do not know what it was.

Mr. McKELLAR. I hope he does not make speeches against my friend, the Senator from Alabama.

Mr. HILL. I hope not, and I would condemn him just as strongly for making any kind of a political statement against the Senator from Tennessee as I would condemn him for making any kind of a political statement against myself. But the Senator from Tennessee has said that Mr. Lillenthal has been traveling all over Tennessee fighting him and making speeches against him. In view of the standing of the Senator from Tennessee, the high esteem in which he is held, and the great affection which his colleagues entertain for him, naturally such a statement against the Senator from Tennessee would raise resentment on the part of all Senators against Mr.

Lillenthal. Naturally, such a statement would have its effect on the consideration of these amendments. I think that if Mr. Lillenthal has made any such attack on the Senator from Tennessee as the Senator has indicated, or in any way questioned the Senator's actions, or cast aspersions upon him, the Senator from Tennessee should let the Senate know what it is upon which he bases his statement.

Mr. McKELLAR. I shall be very glad to give what my file shows. I hold in my hand a letter from Dr. A. E. Morgan, who thus describes Mr. Lillenthal:

There is a practice of evasion, intrigue, and sharp strategy, with remarkable skill in alibi and the habit of avoiding direct responsibility, which makes Machiavelli seem open and candid * * * and man for man directness was a mask for hard-boiled, selfish intrigue. * * * The marble claims, in my opinion, were an effort at deliberate barefaced steal. * * * The public and the Congress do not yet know the extent to which that was improperly handled.

The Senator wants to know how I know Mr. Lillenthal is fighting me in Tennessee. Has the Senator any doubt about a candidate in Alabama being against him?

Mr. HILL. No; I have no doubt about it, because every day he is making speeches in which he declares that he is against LISTER HILL. What I want the Senator from Tennessee to do is what I think he ought to do, namely, to submit a bit of evidence of some kind to the Senate upon which he predicates his statement that Mr. Lillenthal is fighting him. Certainly the statement which the Senator from Tennessee has just read has nothing to do with the Senator from Tennessee. It is an attack on Mr. Lillenthal by Dr. Morgan. The Senate, of course, recalls all that controversy, the feud which existed between Dr. Arthur Morgan and David E. Lillenthal. The Senate knows that not only did the President of the United States find in favor of Mr. Lillenthal, but that a special committee of the Senate of the United States, headed by the then Senator from Ohio, Senator Donahey, investigated the matter and found in favor of Mr. Lillenthal. I think that all that Morgan said about Lillenthal had nothing to do with any alleged statements of Mr. Lillenthal concerning the Senator from Tennessee.

I do not think that in a debate on this floor when we are trying to act on these amendments on their merits, the Senator from Tennessee should make the statement that Mr. Lillenthal has been fighting him through the years, and yet not give us some basis for his statement. The Senator from Tennessee spoke of his campaign in 1940. I remember it well, because at the time I was staying at the Mayflower Hotel where the Senator from Tennessee was also staying, and I rejoiced with him when there was no opposition to his election in 1940. The Senator from Tennessee was renominated without any opposition whatever. I remember the beautiful statement the Senator from Tennessee issued expressing his appreciation to the people of Tennessee because he had no opposition.

I remember that the Senator from Tennessee quoted from the beautiful Twenty-third Psalm—"The Lord is my shepherd," and so forth—and drew a parallel showing how good and fine the people of Tennessee had been to him. I rejoiced with the Senator from Tennessee that he had no opposition.

Mr. McKELLAR. I suppose the Senator is referring now to Lillenthal. He is the man who has been operating against me. I do not know that he is from Tennessee; I do not know whether he ever voted in Tennessee; he may claim not to be a Tennessean, and the other day in the committee he claimed that he was not opposing me; but that would be equal to nothing on earth in view of the reputation he has with his colleagues of being elusive and indirect. That is the kind of speeches he makes. I never heard Lillenthal make a speech in my life, but I know, as every other sensible person would know, when a man of that kind, traveling around the State, is undertaking to undermine and discredit me in every possible way. That is what Lillenthal has been doing. I say that when a man who is sent down there from another State to direct the work of an Authority such as the T. V. A. thus conducts himself against the two Senators from that State, it is unworthy of him; his attitude is improper, and this body ought not to uphold him.

Mr. HILL. It seems to me that if Mr. Lillenthal has been for years making a fight on the distinguished Senator from Tennessee, somewhere, some place, in some newspaper or some article or some periodical, there would be some word, some line, or some thought expressed that the Senator from Tennessee could point his finger at as evidence that Mr. Lillenthal was fighting him. To quote what Dr. Morgan, who had a feud with Mr. Lillenthal, had to say about Mr. Lillenthal is certainly no evidence that Mr. Lillenthal has in any way ever said anything uncomplimentary about the Senator from Tennessee or in any way has taken any action by word or deed or even by thought against the Senator from Tennessee. I should like to have the Senator from Tennessee let the Senate know what is the basis for his statement that Mr. Lillenthal is fighting him.

Mr. McKELLAR. I shall be very happy to make such a statement if I ever get the opportunity.

Mr. HILL. Let the Senator from Tennessee make the statement, because, as I say, it is only fair to the Senate that he should do so. The Members of the Senate are sitting here as judges in this matter; we have to pass on these amendments on their merits, and when a man like the Senator from Tennessee, for whom I have a deep affection and whom I hold in such high esteem, tells me that a man has been fighting him for years, naturally it makes me react unfavorably against that man, and in such a case, whether I wanted it to be so or not, it would affect, perhaps, my position on the amendments. So I think if the Senator is going to make the argument that one reason these amendments ought to be adopted is that Mr. Lillenthal has been

fighting him for years, the Senator from Tennessee ought to be able to find at least some little bit of evidence, one little thread of evidence upon which he predicates his statement.

Mr. McKELLAR. I certainly shall do so.

Mr. HILL. If Mr. Lillenthal has been speaking to Kiwanis clubs, Rotary clubs, Civitan clubs, Lion clubs, and other clubs, certainly his speeches have been reported; somebody has taken them down. If they were not printed in the newspaper, somebody who was present made a note of what he said. If Mr. Lillenthal has been fighting the Senator from Tennessee for years, there must be some evidence somewhere. The truth is when Mr. Lillenthal comes into Alabama to make a speech he generally has a mimeographed copy of it. I have a number of copies of such speeches. Whenever he comes to Alabama I usually write him requesting a copy of his speech, and he sends me a mimeographed copy of it. Now I want the Senator from Tennessee to submit one little bit of evidence upon which he predicates his statement that Mr. Lillenthal has been fighting him for years.

Mr. CONNALLY. Mr. President, the Senator from Alabama said he wanted the Senator from Tennessee to make a categorical answer as to where the speech was printed. The Senator from Alabama knows that sometimes the most effective opposition is not that of the enemy who comes out with a broadside right in front, where everybody can see him, and makes a speech, but it is the insinuating and devious methods these functionaries employ to stir up somebody else, to stir up the local Rotary president with the idea that if Mr. Lillenthal is not let alone the T. V. A. will be destroyed, or to stir up the local banker, who is afraid that if he does not look out some funds will not get into his bank, and so he begins to become alarmed and works up sentiment. Is it not possible that the opposition to which the Senator from Tennessee refers is of that kind, the sly insinuating fox-like opposition, that is very potent, rather than the brass-band type that says, "Yes, we are all against McKELLAR." If Lillenthal did that, he knows there would be an uprising, and that even the President of the United States would say, "Here, Mr. Lillenthal, you cannot do that openly; you cannot come out openly and say, 'To hell with McKELLAR'; you have got to do it with a fine Italian hand; grease the skids, get Mr. McKELLAR where his wool is short, and ease him out.'"

Mr. HILL. Let me say to the Senator from Texas that in all the speeches of Mr. Lillenthal that I have seen, and in all the conversations I have had with him, he has certainly not indulged in any such tactics as that. He is not making that kind of an attack, indeed, not making any kind of an attack. The Senator from Texas knows—

Mr. CONNALLY. Just a word.

Mr. HILL. The Senator knows this about it—

Mr. CONNALLY. I do not know Mr. Lillenthal, never saw him; but I know methods.

Mr. HILL. If he is making that kind of an attack, a covert attack, or, as the Senator says, an insinuating attack, is sticking him from the curtain, from behind, rather than ripping him from the front, surely the Senate of the United States knows that kind of attack. We would have no difficulty in discerning or in properly understanding that kind of attack. If the Senator from Tennessee has any evidence of that kind of an attack, I want him to submit it to the Senate.

Mr. McKELLAR. Mr. President, the Senator brought this matter up by referring to me. I never would have brought it up myself.

Mr. HILL. The Senator from Missouri [Mr. CLARK] brought it up. I did not bring it up. I would not have brought it up. To tell the truth, if I may say so, I have regretted that the Senator from Missouri brought it up, but he referred to it, and it having been brought up, I think the Senate should go into it.

Mr. McKELLAR. I do not want the question before the Senate settled on the basis of whether the action is favorable or unfavorable to me. Mr. Lillenthal has a right to be against me, and I would not have any of these questions settled on the consideration of whether his actions were unfavorable or favorable to me. As a matter of fact, when the proper time comes, when I get an opportunity to speak, later on, after the Senator shall have concluded, I hope to make a statement about the matter, and I shall certainly give the Senator from Alabama, and every other Senator, ample evidence to show that the statement I have made is correct.

The Senator does not have to have someone tell him when a man is silently against him. He knows when a man of any note in his State is against him, and here is a man who has been against me ever since he came into the State, and has been fighting me at all times.

I appeal to my colleagues to decide this matter on its merits, and not on Mr. Lillenthal's opposition to me. I do not ask that it be decided on that ground. I ask my brother Senators to settle it on its merits entirely, and not because of any interest they may have in me personally or politically.

Mr. CONNALLY. Will the Senator from Alabama yield in order that I may ask the Senator from Tennessee a question?

Mr. HILL. Certainly.

Mr. CONNALLY. Is it or is it not the attitude of the Senator from Tennessee that so far as Mr. Lillenthal personally is concerned, the Senator agrees he has a right to vote as he pleases, but the Senator from Tennessee does not propose to arm him with Government funds and control over thousands of employees, to employ them and use them for political purposes. Is that the Senator's attitude?

Mr. McKELLAR. That is exactly my position.

Mr. HILL. Mr. President, I think no Senator would disagree with that premise, no Senator would want to arm any Government employee with thousands of dollars of Government funds, or even a

few hundred dollars of Government funds, I will say to my friend the Senator from Texas, with which to engage in politics either to elect or defeat a Senator. But I do not think that fundamental questions of policy with reference to the T. V. A. should be determined on the basis of the actions or sentiments of any one member of the Board of Directors, or on some position the Board of Directors may have taken. If we are to legislate wisely and well, we must legislate having in mind something greater than personalities or individuals. If Mr. Lillenthal be guilty of the things the Senator from Tennessee says he is guilty of, then Mr. Lillenthal should be removed as a member of the Board of Directors of the T. V. A. If he is going around doing all these many things, we should take steps looking to his removal. As I recall the original act, it specifically provides that a member of the Board of Directors can be removed by concurrent resolution of the two Houses of Congress. If Mr. Lillenthal be guilty, if he has done things he should not have done, then we should pass on Mr. Lillenthal, and not pass on great fundamental questions of policy with reference to the operation of this great power system, on an ad hominem or personal basis.

Mr. McKELLAR. Will the Senator yield further?

Mr. HILL. I yield.

Mr. McKELLAR. A little while ago the Senator charged me with having been on the Committee on Appropriations and allowing certain things to happen, and now he charges me with not taking proper steps to have Mr. Lillenthal removed.

Mr. HILL. No, Mr. President. Let me say this—

Mr. McKELLAR. The Senator—

Mr. HILL. I have the floor, and I want to extend every courtesy to the Senator, but he must not say that I have charged him with these things. I have not charged him with anything.

Mr. McKELLAR. The Senator came very near it. Perhaps I inferred that he did, rather than that he made the actual statement, but the Senator so inferred, as I gathered what he meant from what he said. I wish to say that, so far as Lillenthal is concerned, when I found he was not running the plant in accordance with law, as I shall undertake to show tomorrow when the time comes for me to speak, I went to the President of the United States, who is my friend, who is the man who should know about the matter first, and I told him the facts, and urged him to dismiss Mr. Lillenthal from the service. He took the matter under consideration, and I had rather supposed that he would make some other disposition of Mr. Lillenthal than to keep him in Tennessee, where he was doing the things of which I complained. But it has not been done. So I feel that I am within my rights now in undertaking to see that Mr. Lillenthal not only complies with the law in Tennessee, but that he pays into the Treasury of the United States the money which he takes in, as the law intended that he should do. That is all I want to see done.

I repeat, I do not want any Senator to vote because of how he may regard

me personally. I am tremendously interested in this matter, because I have given the greater part of my life to the building of the Tennessee dams, as I propose to show tomorrow. The greater part of my public life has been given to that purpose. I have been with them from the beginning, since 1916, when I offered the first amendment that became law providing for the building of these dams. I want to see them prosper. I want to see them honestly administered. In very large measure, I caused the Government to put its money down there. I should be untrue to my duty as a Senator if I did not take every precaution to see that the Government money was honestly accounted for, and that there was paid into the Treasury of the United States all that should be so paid. It is for that reason that I am laying before the Senate frankly my whole course in regard to the matter. I have not taken anyone by surprise. I have been open and frank before the committee, before the Senate, and before the President of the United States.

Mr. HILL. Mr. President, I wish to say again that what I seek is not any change of the basic law at all, but that the T. V. A. be allowed to operate this great system just as it has been allowed to operate it under the basic law from the very beginning, in 1933.

Today more than two and a half million people depend on this power system in their daily lives. When the Tennessee Valley Authority Act was adopted, there was a capacity of 244,000 kilowatts of power turned over to the T. V. A. to manage. Today T. V. A. is operating 24 major generating plants—18 hydro and 6 steam—having a total installed capacity of over 1,800,000 kilowatts. Over 11,000,000,000 kilowatt-hours are supplied from this system to some 540,000 consumers. Over 5,700 miles of transmission lines have been constructed or acquired to carry the power to 84 municipalities and 45 farm cooperatives who own their distribution systems, to 11 great industries all in war production, and to 10 military establishments.

Over 75 percent of the power produced by T. V. A. today is going directly into war production. During the period from September 1939 to December 1941 the T. V. A. delivered to the various war industries in the area a total of 2,000,000,000 kilowatt-hours in excess of its contract commitments. This was made possible by efficient management and by T. V. A.'s ability to meet emergencies by using its revenues. This was the power that went directly into bombers and fighters at the very time when the need for them was greatest.

This is the size of the job the Congress of the United States would undertake to manage under the Senate amendments. Every Senator knows we are not equipped to do it. Federal budget and appropriations procedures are not designed for such operations. And no matter how gifted, how industrious, and how devoted to the public service members of the Appropriations Committees may be, they are not selected for their experience in electric system operation nor do they have the time to learn the craft. And

they are 500 miles away from the problem.

What kind of management decisions did these new managers propose?

This would be the total effect of their recommendations: They are not the effects set out in the committee report. The savings to which the committee refers are an illusion. Actually the result of the committee's recommendations would be to reduce revenues, to limit power capacity below contractual commitments, to jeopardize the continuity of electric service throughout the area, to freeze war production.

These are some of the committee's recommendations for the management of the T. V. A. power system next year:

First, stop work on Watts Bar steam plant.

The appropriation bill as it passed the House, based on recommendations of the present management of the T. V. A. power system, provided for continued construction at Watts Bar steam plant. The text of explanation provided by T. V. A. for use of the committee members showed that the continued construction referred to involved the installation at this existing project of a new generating unit. The Senate Committee on Appropriations decided to strike it. I find little discussion on this important managerial decision in the record of the hearings. I wonder if the committee knew the facts. This is the situation:

This would be the fourth unit to be installed at the Watts Bar steam plant. It was reinstated in the Authority's construction program by special action of the War Production Board late in 1943 because more power was needed for war production. Earlier, in October 1942, although funds had already been provided by the Congress, work on this unit had been stopped. But when a sudden and substantial increase occurred in the power requirements of War Department projects in this area, the installation of this unit became essential. It happens to be one of the few increases in generating capacity approved by W. P. B. for 1945 for the entire interconnected power system of the east-central region of the United States, and, fortunately, required relatively little manpower or materials because the building and the boiler had been largely finished when completion was deferred in October 1942 by W. P. B. order.

The steam turbine and the generator are now in process of manufacture, and most of the material has been fabricated. Taken as a whole, the fourth unit and appurtenant facilities will be over four-fifths completed by the end of this fiscal year, and will have a rated capacity of 60,000 kilowatts, capable of producing about a half billion kilowatt-hours per year. But it will be useless and idle—incapable of earning any return on the \$4,000,000 already paid out—if it is stricken from this bill, and if receipts are turned into the Treasury and the Authority must depend on appropriated money.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. HILL. Yes; I am glad to yield to the Senator from Ohio.

Mr. BURTON. Will the Senator estimate for us to what extent this project was completed or will be completed by the end of this fiscal year?

Mr. HILL. It will be nearly completed, but it is necessary to have this additional money for final completion.

Mr. BURTON. As I understand, by the end of this fiscal year—

Mr. HILL. Which fiscal year?

Mr. BURTON. The one that expires on June 30 next.

Mr. HILL. No; it would go over into the next fiscal year.

Mr. BURTON. Is the additional money with which we are now dealing required to complete the units?

Mr. HILL. To finish the units; yes.

Mr. BURTON. And if this additional money is not appropriated, then to what extent will the work be left uncompleted?

Mr. HILL. It will be left uncompleted to such an extent that all the power or benefits from it would be denied. In other words, none of the 60,000 kilowatts of power which the project would be capable of producing or would produce would be obtained.

Mr. BURTON. Am I correct in this picture of the matter, that there is about 10 percent more to be done, and that about 90 percent has been done?

Mr. HILL. I think the Senator is approximately correct.

Mr. BURTON. So if the additional amount provided in the bill is not appropriated we might actually lose the benefit of the 90 percent which has been spent, including the critical materials that have gone into it?

Mr. HILL. It would be lost so far as getting any power is concerned. There is no question that it would be lost. In other words, if the committee amendment is adopted one-half billion kilowatt-hours a year would be lost to war production, in the manufacture of rubber, phosphorus, steel, or aluminum—for tanks, ships, planes, smoke screens, and bombs.

Mr. BURTON. May I inquire further if the appropriation with which we are dealing relates to an additional unit or to an original installation?

Mr. HILL. It relates to an additional unit in the plant, and the additional unit would produce one-half billion kilowatt-hours of power a year. If we fail to provide this money we will not get the additional one-half billion kilowatts of power.

Mr. BURTON. And approximately \$4,000,000—is that the figure the Senator is using—would be in the project, but would not be usefully employed?

Mr. HILL. On which there would be no return.

Mr. BURTON. So the Senator's point is that if this item of appropriation were omitted we would not be serving the purpose of economy, but by our failure to proceed with some 10 percent we would be losing the use of some 90 percent of an investment in an additional unit for this plant?

Mr. HILL. The Senator is absolutely correct.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. May I ask what unit that is?

Mr. HILL. It is the additional unit at the Watts Bar steam plant.

Mr. President, this illustrates one of the dangers of the Appropriations Committee trying to manage this great power project in the Tennessee Valley; in other words, this amendment, if adopted, will mean that this unit cannot come into operation, this power will not be available, and guns, planes, ammunition cannot continue to go out from this river valley to the other valleys of the world where our boys are fighting and dying.

Under the present management of T. V. A. there has been no interruption. In other words, these investments have been used in the wisest and most economical and most efficient way. We have not permitted, as is now proposed, a project on which \$4,000,000 have been expended, to stand idle, thus denying the power which is needed for war production. That is what the amendment suggested by the committee would do.

The committee recommendation, as embodied in the amendment, is an effective answer to those who try to tell us that Congress will always appropriate the money required to carry on the power operations, that the consumers of power need have no fear of dependence on annual appropriations. This is the first time the committee has faced the problems of managing a power system. What is the result? By the very first amendment in the bill the committee stops construction of a system extension urgently required to carry a critical war load.

I am not suggesting any lack of patriotism or concern for war production. I am simply illustrating the fact that the details of a power business in the Tennessee Valley cannot be run from an office in Washington, even if that office is as important as the room of the Committee on Appropriations.

The situation would be almost as bad in peacetime. Suppose, for example, that this unit, instead of being installed to meet increased war requirements, were under construction to meet the expanding power requirements of a city like Chattanooga, Tenn.? Chattanooga is entirely dependent on T. V. A. as its source of power supply. Suppose Chattanooga, happy in an increased population, a more prosperous people, advised the T. V. A. that it was going to require more power for new factories, new homes, new stores. The titular manager of T. V. A. would say: "I will go to Congress and see if we can put in a new unit at Watts Bar." While he came with his figures to prove that such an investment would pay out some of the stores or factories or citizens might make other plans for installations at other locations. But assume that, full of faith in their Government, they waited, and did not seek other locations. And let us assume that the manager made out a good case, and that in due time funds were appropriated to pay the estimated expenses of manufacturing such a unit for the next fiscal year. Contracts would be entered into, not only contracts for power supply, but contracts for building construction, for air conditioning, for the pur-

chase of refrigerators and stoves, the kind of business activity that is good for a city to have. All plans would be made. But then suppose that the next year, when construction was incomplete, as construction is incomplete now at the Watts Bar steam plant, the committee changed its mind, and that funds to complete the unit were not allowed. Can you picture a prosperous and happy area dependent on such a power system, run by such vacillating managers?

There is nothing theoretical about my assumption that the committee might well be variable. This is exactly what has happened. The Watts Bar generating unit was once approved by Congress. That unit is almost completed. It is needed to supply commitments solemnly entered into by an agency of the United States. The unit is needed for power for victory. And now, without any testimony, without technical inquiry or advice, provision for it is stricken from the bill.

I need offer no further proof that the adoption of this amendment would mean the impairment of the T. V. A. power system, that it would halt war production, and would affect adversely the interest of taxpayers all over the country, who would receive no return on their investment. But I have further proof.

Let me cite another example, one directly affecting power-system operation, to prove that these Washington managers in the first year they have proposed to assume the responsibility for running this power system have made a terrible error. Under the committee's recommendations under the committee amendments, the bill contains a limitation of \$600,000 on the construction and purchase of transmission lines and related facilities. I find no word of explanation in the committee report with respect to the method by which this amendment was agreed upon.

Power service can be rendered only by means of transmission lines. Annually, every large transmission system requires replacements, additions, and alterations to provide adequate and reliable service. With the new power capacity at the Kentucky and Fontana Dams, additional transmission facilities are required during the next fiscal year to take that power to the market. Detailed knowledge and engineering skill are needed to determine whether \$600,000, \$1,000,000, \$10,000,000, or any other fixed sum will be required. The men on the job who are operating the system estimated that in order to transmit its power from its generating plants to its customers, a total of \$9,696,591 would be required for transmission lines and related facilities in the fiscal year 1945. The new managers—the committee—decided \$600,000 would be enough, a discrepancy of more than \$9,000,000 for which I find no explanation in the committee report or in the hearings. This limitation actually means that the result of adopting this amendment would be that no transmission facilities at all—not a single mile of them—could be constructed in the fiscal year 1945. For, as it happens, the

\$600,000 is not enough to complete projects already under construction in the current fiscal year.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. The Senator asked for some newspaper articles or, as he said, something which would give him an inkling as to Mr. Lillenthal's actions. I am now prepared to produce some.

Mr. HILL. Very well.

Mr. McKELLAR. The first article I have found—and I am having others looked up—is taken from the Memphis Commercial Appeal of July 10, 1942:

**T. V. A. CHAIRMAN WARNS OF POLITICAL
THREAT**

KNOXVILLE, TENN., July 9.—Chairman David E. Lillenthal, of the T. V. A., Thursday struck out at what he described as "indications of an effort to infiltrate politics into the municipalities and cooperatives distributing T. V. A. power," declaring:

"The people of the valley must be on guard against the opening of a second front in the battle to make this region the spoils of a narrow and old-fashioned kind of politics."

WASHINGTON FRONT HELD

The Chairman, in an address—

He was referring to a different kind of amendment, the \$4,500 amendment, at that time—

prepared for delivery at a Knoxville Kiwanis luncheon, said the issue of political management versus business management had been before the people in recent months, and added, "That attack has been turned back."

"We have been promised that it will be resumed, and I doubt not it will. But for the present it certainly has failed. The first front—the front at Washington—has been held."

In a second article, this one coming from Chattanooga, a meeting was described. The article reads, in part, as follows:

Responding to Lillenthal's attacks on him and Senator K. D. McKELLAR, Senator STEWART challenged the T. V. A. Director to show that he was more interested in T. V. A. than in the Tennessee Senators, and branded him as a dictator of the giant Federal power project.

Mr. President, those are two—

Mr. HILL. Mr. President, I should like to say to the Senator, if he will permit an interruption, that I am familiar with the speech to which the Senator has referred. It was a speech to which the junior Senator from Tennessee [Mr. STEWART] took exception, and which the junior Senator from Tennessee felt was an attack upon him.

Mr. McKELLAR. The newspaper article said it was an attack upon me, also.

Mr. HILL. Did the newspaper article say that?

Mr. McKELLAR. Yes.

Mr. HILL. Where in the newspaper article is such a statement to be found?

Mr. McKELLAR. I just read it.

Mr. HILL. I did not hear the Senator's name mentioned in the article he read.

Mr. McKELLAR. Yes; the attack was on both of us. My name also was mentioned, and the article was in regard to the attack. That is the way Mr. Lillenthal proceeds. He has an eely, oily, insinuating, ingratiating way of attacking.

His attack is not an open one. He has not the manhood to make an open attack. It is always an eely, oily, ingratiating attack. In my judgment it is well known to every informed person in Tennessee that he has bitterly fought me from the time he went into office. The Senator asked for the documents, and I have furnished them to him. I can find others as well.

Mr. HILL. I am familiar with that particular speech. Both clippings refer to that one particular speech. I have it before me. It was made on July 9, 1942, before the Knoxville Kiwanis Club, at the Andrew Johnson Hotel in Knoxville, Tenn. That is the speech which the junior Senator from Tennessee [Mr. STEWART] felt was an attack on him, and he so stated. If the Senator can find any other speeches, I wish he would do so, and bring them to the attention of the Senate. This particular speech was made on July 9, 1942. The junior Senator from Tennessee felt that it was an attack on him, and so construed it. But I do not find anything in the speech which constitutes a particular attack on the senior Senator from Tennessee. If he has anything which contains a particular attack on him, I hope he will bring it to the attention of the Senate.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BURTON. I wish to ask a question on the subject of transmission lines. The Senator was discussing the proposed committee amendment, which would limit to the specific sum of \$600,000 expenditures for the construction or purchase of transmission lines. Of course, transmission lines are the heart and veins of any electrical system.

Mr. HILL. They are the arterial system.

Mr. BURTON. Did I correctly understand the Senator to indicate that \$600,000 might not be sufficient to maintain the safety of the system in the event of a disaster calling for reconstruction, or does this relate to new construction?

Mr. HILL. I stated that \$600,000 would not permit a single mile of new line to be constructed, and would not even finish the construction now under way.

Mr. BURTON. But is it the interpretation of the Senator that this would not limit expenditures for reconstruction or replacement of lines which might be destroyed by tornadoes or something of that sort? A disaster of that kind is a vital factor to the whole community, and such damage is very difficult to estimate. I wondered what provision was made for it.

Mr. HILL. If the disaster should occur early in the fiscal year, there might be sufficient funds. If it should occur at a later date, there might not be sufficient funds if the Authority had to rely entirely on appropriations from the Congress.

Mr. BURTON. That is the point which I wished to reach.

Mr. HILL. That is one of the values of the right to expend their receipts, because the receipts are coming in all the time, and if emergencies occur they have

the receipts available to meet the emergencies.

Mr. BURTON. I can see that there might be some reason for limitations as to new lines, based upon the facts of the case, but to establish an arbitrary figure of \$600,000 for reconstruction of lines might involve serious danger to the community.

Mr. HILL. What would be the result of the limitation of \$600,000? Fontana Dam, one of the largest dams constructed, could not be connected to the system. Not a single kilowatt of the 135,000 kilowatts to be installed at Fontana for operation in 1945 would be available to support the war load that capacity is being installed to serve. This dam will have cost the taxpayers a total of about \$70,000,000. Under this amendment limiting transmission-line construction to \$600,000 it could not be put to use and there would not be a dollar in return. Similarly, an additional line to make power available from Kentucky Dam could not be built. This is the kind of cut the committee calls a saving. In other words, this power could not go into the T. V. A. system. There would be no money to build a transmission line to take the power into the T. V. A. system.

Mr. BURTON. Do I correctly understand that this item might fall into the same category as the preceding item, that is, by limiting transmission-line construction to \$600,000, might we be depriving ourselves of the beneficial use of properties which we have and for which we have expended a large amount of money, which would not be economy, but the opposite?

Mr. HILL. The Senator is exactly correct.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. If the money were not available to build a transmission line from the Fontana Dam to connect it with the T. V. A. system, would there be any other market for the power?

Mr. HILL. No; there would be no other market. If that power could not go into the system, there would be no market. I take it that no one would build with his own funds a power line all the way from North Carolina to the Fontana Dam to obtain that power. The power would go to waste.

Mr. AIKEN. I mean some private utility.

Mr. HILL. There is no private utility operating in that field which could take it.

Mr. President, if such decisions as these represent the quality of managerial competence to be provided for this system, I fear that power consumers in the Tennessee Valley will find little to prefer in management from Washington, over the system of management in New York, a scheme they enthusiastically abandoned. The stockholders, taxpayers from Maine to California, should revolt against such gross mismanagement of their investment.

Let me cite another example of the carefree spirit in which in its remote headquarters the Senate committee has slashed this appropriation.

Third. Carry out the program approved by the Senate committee, but providing total funds \$40,000,000 short of that necessary to do so.

Two years ago the question before us now was debated. Then, when I argued as I argue now, that power service would be jeopardized under such a system, I was reproached for my misgivings. A long history of generous treatment was cited as evidence of the fairness with which Congress would appropriate to meet the needs of the people of the Southeast. We need discuss history no longer to see what the realities are. Just examine the text of this bill. By a series of amendments this bill leaves T. V. A. short of funds by at least \$40,000,000 to carry out the program approved in the bill.

In line 16, on page 52, the committee proposes to make a direct appropriation of \$76,981,872, supposed to be sufficient to finance the program. The bill as it passed the House appropriated no new money. It reappropriated the unexpended balance, which, together with estimated receipts, was expected to be adequate to cover all outstanding commitments as of June 30, 1944, and to finance the approved program of T. V. A. for the fiscal year 1945. That program, approved on the basis of detailed examination, was estimated to require \$79,134,882 for fiscal year 1945. Receipts were estimated to total \$68,528,882. The unobligated balance to be carried over from 1944 was estimated to be \$19,262,298. That gave a total of \$87,791,180, enough to finance all projects and operations of the Authority now underway, and to leave a balance of \$8,656,298 which would be on hand in the event resumption of work were ordered on war projects authorized by Congress but ordered stopped by W. P. B. Chief among these are the Watauga and South Holston Dams and the phosphorus plant at Mobile. Unless work on these authorized projects were ordered resumed, the money would not be expended.

In place of that accustomed procedure, the Senate committee, proposing to deprive T. V. A. both of its receipts in 1945 and its unexpended balance, offers the figure of \$76,981,873 as adequate to meet the year's total fund requirements. This amount is inadequate by approximately \$40,000,000 to finance the expenses of T. V. A. even as approved by the Senate committee. The trouble is this: In making its estimate, the committee ignored some \$30,000,000 of commitments outstanding on June 30 of this year by confusing the T. V. A. estimated unobligated balance with the unexpended balance. They are very different things. These are things managers should be familiar with.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. The bill as it passed the House approves the expenditure of \$89,000,000. The Senate version approves an expenditure of \$76,000,000. That is a difference of \$13,000,000. How in the name of heaven can the Senator claim that the Senate committee provision is \$40,000,000 short?

Mr. HILL. The House bill approves expenditures of \$89,000,000 during the next fiscal year, which is the fiscal year beginning July 1, next, but also makes provision to pay the commitments, which the Senate committee evidently overlooked. It did not distinguish between an unobligated balance and an unexpended balance. The T. V. A. might have \$100,000,000 in its fund as an unexpended balance; but if it had commitments up to \$75,000,000 against that fund, it would really have an unobligated balance of only \$25,000,000. That is the difference.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McKELLAR. The Senator has just admitted that of the \$89,000,000, eight-million-dollars-plus could be put into a reserve fund.

Mr. HILL. No; not to be put into a reserve fund. It was allowed by the House in order to provide funds for the completion of the Watauga Dam, the South Holston Dam, and the phosphate plant at Mobile, Ala., if the War Production Board should approve the completion of those two dams and the construction of the phosphorus plant at Mobile.

All the money proposed to be appropriated is needed to finance the program approved by the Senate committee for 1945. In fact, the amount provided is still short of that required to meet obligations approved in the bill as amended by the Senate committee, because no funds are provided for construction of South Holston, Watauga, or the Mobile plant, although construction is authorized. This leaves nothing to meet outstanding commitments against 1944 funds, totaling approximately \$30,000,000.

That is where the rub comes. There is no provision for the commitments which have been made and which, of course, the T. V. A. must pay.

Therefore by the failure to provide funds for these approved projects, and by failure to understand the difference between unobligated and unexpended balance, what is the result? T. V. A., a war agency, is left somewhere between \$30,000,000 and \$40,000,000 short of being able to do the very work the Senate committee approves.

POWER FOR WAR PRODUCTION IN THE TENNESSEE VALLEY WILL BE SHORT IN 1945 UNDER THE COMMITTEE AMENDMENTS

The new Washington managers were not finished when they ordered work stopped on the fourth unit at Watts Bar steam plant, a unit for which Congress has already appropriated funds, which W. P. B. has ordered installed, which will be almost completed by the 1st of July, and the production of which is already committed to support war loads, and which, without this action, would soon be on its way to paying out the \$4,000,000 already invested. They were not content when they prohibited the construction of any transmission lines in 1945, thereby keeping power from Fontana and Kentucky dams from going out to increase war production. By these two

amendments the committee proudly claims to have saved \$1,000,000. What they have done is to remove 255,000 kilowatts from war production in 1945, and they have lessened estimated income for that year by approximately \$1,500,000, an item of interest to taxpayers. They were not even satisfied when they left the whole T. V. A., of which the power system is a part, short by \$40,000,000 of funds to do the work they themselves directed. That was only a beginning.

With these major items decided, the committee felt free to go into details. They decided how many automobiles T. V. A. could economically use and how much maintenance should cost, without any regard to the number that might be required for this revenue-producing operation. They decided just when the surplus should be disposed of without any regard to what might be the most profitable place of disposal. They decided that T. V. A. should no longer advertise to secure workmen. Nearby power systems can. All war industries can. They are under private management. But, according to this managerial decision, there is no way in the world that T. V. A. can get word to the general public if linemen, switchboard operators, transmission crews are needed. Yet this is war. That system must be kept going in a manpower shortage.

Mr. President, I am not impressed with the sagacity of these newly self-appointed managers of our power system. I am against the unnecessary centralization of power in Washington. I think that this is just one more example of the ineptness of decisions reached far away from the people those decisions affect.

The present management of T. V. A. is down in the valley, close to the people it serves. It has been an honest, businesslike, efficient management, and it should be permitted to continue. The people do not want this legislation.

CENTENNIAL OF FIRST TELEGRAPH MESSAGE

Mr. WHEELER. Mr. President, for the Senator from Maryland [Mr. TYPINGS], from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, without amendment, House Concurrent Resolution 72 and ask unanimous consent for its immediate consideration. I may say that the concurrent resolution, which was submitted in the House by Representative BULWINKLE, was adopted by the House of Representatives unanimously, and a similar concurrent resolution (S. Con. Res. 39) submitted by me and which is identical with the House concurrent resolution, has been reported today from the Committee on the Library. The concurrent resolution provides for the creation of a joint congressional committee to secure an appropriate plaque or other suitable memorial to be placed in or near the room in the Capitol from which the first telegraph message was dispatched and to arrange for appropriate exercises to be held on May 24, 1944. There is a preamble to the resolution which sets forth certain interesting facts in connection with the invention of the telegraph.

I may say that I have spoken to the leader on the other side of the Chamber, and I hope there will be no objection to the consideration of the resolution.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the concurrent resolution (H. Con. Res. 72) as follows:

Whereas Samuel F. B. Morse, a distinguished American artist, invented the first practical electromagnetic telegraph in the winter of 1835-36, and obtained an appropriation from the Congress of the United States in 1843 for the construction of an experimental telegraph line between Baltimore, Md., and Washington, D. C.; and

Whereas the first telegram, "What hath God wrought?", was sent over this line from the old Supreme Court room in the Capitol to Baltimore on May 24, 1844; and

Whereas the sending of the first telegram marked the beginning of the telegraph industry, which has been indispensable to the country in four wars and, by linking all sections, has implemented the traditional motto, "E Pluribus Unum"; and

Whereas the telegraph was the first speedy means of communication connecting the nations of the world, bringing all peoples closer together, and promoting the dissemination of ideas as well as international trade; and

Whereas the telegraph was the forerunner of our entire system of electrical communications, including the telephone, the radio, and television: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint congressional committee to be composed of five Members of the Senate to be appointed by the President of the Senate, and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Such committee shall secure an appropriate plaque or other suitable memorial to be placed in or near the room in the Capitol from which the first telegraph message was dispatched, and shall arrange for appropriate exercises, to be held on May 24, 1944, for the purpose of placing such plaque or other memorial and commemorating the centennial of the telegraph. The cost of carrying out the provisions of this concurrent resolution, including the cost of such plaque or other memorial, not to exceed \$4,000, shall be paid one-half from the contingent fund of the House and one-half from the contingent fund of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. WHITE. Mr. President, reserving the right to object, the Senator from Montana was good enough to speak to me about the matter, and so far as I know there is no objection to the concurrent resolution. It seems to me altogether appropriate that there should be exercises marking the centennial date of the use of the telegraph, and I join with the Senator from Montana in asking for the consideration and adoption of the concurrent resolution.

Mr. WHEELER. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the concurrent resolution was considered and agreed to.

The preamble was agreed to.

EXECUTIVE SESSION

Mr. McKELLAR. Mr. President, it is apparent that we cannot complete consideration of the pending bill tonight.

If there is nothing further at this time, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Sundry officers for promotion in the Regular Corps of the United States Public Health Service.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. Robert W. Hayler, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 16th day of January 1943;

Capt. Allan E. Smith, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 5th day of November 1942;

Capt. Thomas L. Sprague, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 16th day of April 1943;

Sundry chief warrant officers and warrant officers to be lieutenants in the Navy, to rank from January 14, 1944;

Sundry chief warrant officers to be lieutenants (junior grade) in the Navy, to rank from January 14, 1944;

Several warrant officers to be ensigns in the Navy, to rank from January 14, 1944;

Sundry chief pay clerks to be passed assistant paymasters in the Navy, with the rank of lieutenant, to rank from January 14, 1944;

Chief Pay Clerk Edward J. Hagen to be an assistant paymaster in the Navy, with the rank of lieutenant (junior grade), to rank from January 14, 1944;

Sundry pay clerks to be assistant paymasters in the Navy, with the rank of lieutenant (junior grade), to rank from January 14, 1944;

Several acting pay clerks to be assistant paymasters in the Navy, with the rank of lieutenant (junior grade), to rank from January 14, 1944;

Several officers of the Naval Reserve to be ensigns in the Navy;

Asst. Surg. Delphos O. Coffman to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), to rank from September 8, 1939, to correct the date of rank as previously nominated and confirmed; and

Sundry officers of the Naval Reserve, to be assistant paymasters in the Navy, with the rank of ensign.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

Ernest Gruening, of New York, to be Governor of the Territory of Alaska (reappointment).

The PRESIDING OFFICER. (Mr. TUNNELL in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk proceeded to read sundry nominations in the judiciary.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the judiciary nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the judiciary are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. McKELLAR. I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

That concludes the calendar.

Mr. McKELLAR. I ask unanimous consent that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon, tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 22, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 21 (legislative day of February 7), 1944:

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Henry N. Graven, to be United States district judge for the northern district of Iowa.

UNITED STATES ATTORNEYS

John J. Morris, Jr. to be United States attorney for the district of Delaware.

Harry H. Holt, Jr. to be United States attorney for the eastern district of Virginia.

UNITED STATES MARSHALS

Raymond E. Thomason to be United States marshal for the northern district of Alabama.

Roulhac Gewin to be United States marshal for the southern district of Alabama.

Robert W. Rabb to be United States marshal for the middle district of Pennsylvania.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

First Lt. Burnis Mayo Kelly, to Signal Corps.
First Lt. Vernon Price Mock, to Infantry.
First Lt. Thomas Henry Muller, to Infantry.
Second Lt. Benjamin Willis Mills, Jr., to Infantry.

First Lt. William Bailey Crum, to Air Corps.
First Lt. Newton Elder James, to Air Corps.
First Lt. Robert Belden Kuhn, to Air Corps.
First Lt. Robert Morris, to Air Corps.
First Lt. Arthur Tillman Williams 3d, to Air Corps.

Second Lt. Jerald Morris Davies, to Air Corps.

Second Lt. James Edwin Foley, to Air Corps.

Second Lt. Thomas Terrell Jackson, to Air Corps.

Second Lt. Martin Cadenhead McWilliams, to Air Corps.

Second Lt. Irving Richard Perkin, to Air Corps.

Second Lt. Boone Seegers, to Air Corps.

Second Lt. James McIndoe Winterbottom, to Air Corps.

PROMOTIONS IN THE REGULAR ARMY

To be colonels, with rank from December 1, 1943

Hume Peabody, Air Corps.

Martin John O'Brien, Coast Artillery Corps, subject to examination required by law.

Joseph Cumming Haw, Coast Artillery Corps.

Earl Larue Naiden, Air Corps.

Henry McElderry Pendleton, Cavalry.

Iverson Brooks Summers, Adjutant General's Department, subject to examination required by law.

Edmund DeTreville Ellis, Quartermaster Corps, subject to examination required by law.

To be majors with rank from January 22, 1944

Earl Clinton Robbins, Air Corps.

Andrew Joseph Kerwin Malone, Air Corps.

Russell Keillor, Air Corps.

Ernest Harold Lawson, Air Corps.

John Edward Bodle, Air Corps.

Russell Scott, Air Corps.

Burton Murdock Hovey, Jr., Air Corps.

To be majors with rank from January 23, 1944

Dale Davis Fisher, Air Corps.

Henry Welsbrod Dorr, Air Corps.

Carlisle Iverson Ferris, Air Corps.

Elwood Richard Quesada, Air Corps.

Willard Roland Wolfenbarger, Air Corps.

MEDICAL CORPS

To be colonels

Martin Robert Reiber

Forrest Ralph Ostrander

To be captains

Matthew Anthony Surrell, Jr.

Donald Withers Lyddon, subject to examination required by law.

Orland Stenberg Olsen, subject to examination required by law.

PHARMACY CORPS

To be a colonel

William Harvey Kernan

Chaplains

Max Walker Foresman to be a captain.

To be colonels with rank from January 1, 1944

Robert William Strong, Cavalry.

Clifford Randall Jones, Coast Artillery Corps.

John Beugnot Wogan, Field Artillery.

Clesen Henry Tenney, Coast Artillery Corps.

Frank Edwin Emery, Jr., Coast Artillery Corps.

MEDICAL CORPS

To be colonels

Joseph Francis Gallagher

John Murray Welch

Harry Aloysius Bishop

Luther Remi Moore

To be captains

Percy Hall Sutley

Otto Albert Wurl

Raymond Lancing Pendleton

DENTAL CORPS

To be colonels

Thomas Floyd Davis

John Nelson White

William Ferdinand Scheumann

Campbell Hopson Glascock

William Frederic Wieck

PHARMACY CORPS

To be captains

George Henry Wilson, subject to examination required by law.

Ernest William Bye, subject to examination required by law.

John Valdo Painter, subject to examination required by law.

CHAPLAINS

Frank Pearson MacKenzie to be a colonel.

To be captains, United States Army

James Joseph McMahon

Harold Francis Donovan

To be colonels with rank from February 1, 1944

Edward Caswell Wallington, Chemical Warfare Service.

Carl Ernest Hocker, Coast Artillery Corps, subject to examination required by law.

John William Leonard, Infantry.

Richmond Trumbull Gibson, Coast Artillery Corps.

John McDonald Thompson, Ordnance Department.

James Alward Van Fleet, Infantry.

Edward Gill Sherburne, Infantry.

Walter Wood Hess, Jr., Field Artillery.

Michael Frank Davis, Air Corps.

John Fuller Davis, Cavalry.

MEDICAL CORPS

To be colonels

Carl Randolph Mitchell

Michael Gerard Healy

Martin Fred DuFrenne

Philip Lewis Cook

Charles Fremont Snell

To be lieutenant colonels

Howland Allan Gibson

Edward John Kallus, subject to examination required by law.

Otis Blaine Schreuder

To be major

Robert Purcell Rea

To be captains

Alf Torp Haerem, subject to examination required by law.

Stanley David Burton

DENTAL CORPS

Warren Charles Caldwell to be a colonel.
James Melvin Epperly to be a lieutenant colonel.

CHAPLAINS

Philip Francis Coholan to be a colonel.

To be captains

Marvin Earl Utter

Loren Thomas Jenks

Ralph Henry Pugh

James Clarke Griffin

John Bartholomew Day

Charles Edwin Brown, Jr.

Steve Pettie Gaskins, Jr.

Gervase George Sherwood, subject to examination required by law.

POSTMASTERS

DELAWARE

Howard R. Elliott, Laurel.

Albert I. Stafford, Middletown.

IDAHO

Madge D. Becker, Hayden Lake.

ILLINOIS

Ralph Laverie Douglass, Adair.

William G. Richardson, Astoria.

John H. Keest, Jr., Middletown.

MAINE

Henry L. Holden, Jackman.

MINNESOTA

Evelyn E. Boyer, Beltrami.

Edwin O. Benthagen, Borup.

Judd R. Grout, Elbow Lake.

Aida B. New, Floodwood.

Joseph T. Samuelson, Grasston.

Marvin T. Giles, Holland.

Edward A. Roser, Kandiyohi.

Ida A. Gonsolin, Kelly Lake.

Alice Gillespie, Kilkenny.

Clarence D. Zillgitt, Lake City.

Earl D. Wills, Nassau.

Arno C. Jenner, Nerstrand.

Clarence I. Jonason, North Branch.

Harry S. Matteson, Olivia.

Emma V. Berglund, Pennock.

Herman O. Hoganson, Perley.

Henry C. Moe, Ranier.

Frank C. Erkel, Rockford.

Marguerite Linquist, Springpark.

Frank B. Clarine, Tamarack.

MISSISSIPPI

Reid R. Williams, Arcola.

Sidney B. Spencer, Bogue Chitto.

William C. Sharbrough, Holly Bluff.

Nell T. Liddell, Learned.

Helen Persell, Madison Station.

Harriett G. Shirley, Money.

Judson S. Defoore, Sidon.

MONTANA

Bernard R. Carey, Crow Agency.

Orville C. Hanson, Gildford.

John C. Abrahamson, Roberts.

Gertrude M. Neese, Savage.

NEBRASKA

Milared I. Onstot, Riverton.

J. Wilbur Brawner, Wilcox.

PENNSYLVANIA

Frank X. Harmuth, Bridgeville.

Mary E. Angley, Glen Olden.

Francis J. Plocinik, Gilberton.

Dorothy K. Eagen, Jermyrn.

Leo A. Clavin, North East.

Michael V. McFadden, Summit Hill.

Emma R. Eakins, Wynnewood.

VIRGINIA

Charles F. Simpson, Arlington.

William C. Pulman, Fort Belvoir.

Ruth O. Griffin, Newsoms.

Alice L. Paxton, Oceana.

Robert M. Bradshaw, Rice.

Margaret V. Reid, Triangle.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 21, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, O Saviour of the world, that upon these shores where so often the shadows cling Thou hast a message for mankind. As we emerge from conflicting doubts, O give us the evidence of the aggressive movement that the sad earth is rising to something higher for which the human heart hungers and throbs. Chafing under the failure of our dependence on Thee, we pray that we may be ever conscious of our ignorance and may we seek to know Thy way and be filled with the patience and forbearance as exemplified by our Saviour as He sought to emancipate all struggling spirits.

O God, at times peace and security are endangered by the rush of the elements of disunity and misunderstanding. This sinful world needs a plain way out of the depths of its desolation; O give us a defiant faith that shall hurl its assurance into the face of every trial, every defeat,

and every loss, believing that "The Lord of hosts is with us, the God of Jacob is our refuge." O let America more and more forsake the common routes of ease and pleasure and, reaching out into the dimness, kindle anew the fires of her great soul with the glories yet to be—steadfast, immovable, always abounding in the work of the Lord and unto Thee in the name of our Master shall be praises forevermore. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of business on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL—1945

Mr. TARVER, from the Committee on Appropriations, reported the bill (H. R. 4443) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes (Rept. No. 1271), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that in the consideration of the bill just reported, the appropriation bill for the Department of Agriculture for the fiscal year 1945, points of order may be waived against any language and appropriations contained in the bill which would be authorized by H. R. 4278, which passed the House on March 7, 1944, in the event of its final enactment.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

Mr. TABER. Mr. Speaker, reserving the right to object, that would leave the bill open to any points of order as to affirmative legislation that has been placed in the bill by the committee and would only waive points of order as to authorization of items that are covered in the Pace bill which was passed about 2 weeks ago?

Mr. TARVER. Mr. Speaker, the request does not go beyond the provisions of the Pace bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record, and to also extend my own remarks in the Record in another instance and to include therein a radio address.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a resolution adopted by the Democrats of the Ninth District of Virginia.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a very short article.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DONDERO] may extend his own remarks in the Record and include therein an article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. SCRIVNER]?

There was no objection.

(Mr. BUFFETT asked and was given permission to extend his own remarks in the Appendix of the Record.)

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on two subjects and in one to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an editorial from last night's Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KILBURN]?

There was no objection.

(Mr. BREHM asked and was given permission to extend his own remarks in the Record.)

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a bulletin issued by the Civic Association of America, located in Denver, Colo.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. HILL]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

DRAFT DEFERMENTS IN CONNECTION WITH SECURING FARM MACHINERY

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I wonder how many Members are aware of the fact that the A. A. A. is being used for the purpose of determining whether farmers are entitled to draft deferments or are entitled to secure farm machinery.

I hold in my hand a card sent out from one of the county committees in my district which reads in part as follows:

Your community committeeman will be in Hawley on March 17 to assist you in executing your 1944 farm plan sheet and to explain 1944 practice payments that can be earned on your farm.

Then further on:

These plan sheets will be used to secure information for draft deferments and securing farm machinery.

So far as I know neither the Congress, the Selective Service, nor anyone else with authority has ever made signing up for the triple A program a condition precedent to qualify for deferment as an essential agriculturalist, or to secure necessary farm machinery. This should be immediately investigated.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a radio speech delivered by me, and I also ask unanimous consent to extend my own remarks and to include therein a poem by a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. KUNKEL]?

There was no objection.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a brief article from the Saturday Evening Post.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. HAGEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks and that the same may appear in the Appendix of the Record.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

[Mr. BURDICK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein the text of a resolution I have introduced, and two or three editorials.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

(Mr. OUTLAND asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a radio address delivered by me in my district.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

TWO-THIRDS MAJORITY SYSTEM OF NOMINATING PRESIDENTIAL CANDIDATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my address.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the New York Times reports that our distinguished colleague the gentleman from Georgia [Mr. Cox] urged that the South unite to compel the Democratic National Convention to return to the two-thirds majority system of nominating Presidential candidates. I think this is sort of a stop-Roosevelt proposal. Our gallant and distinguished Member may be woefully misguided in that regard. I say, as delegate myself to the convention, and as dean of the New York Democratic delegation, I would oppose any such proposal. It would be trying to make progress by going backward. The gentleman from Georgia, either willingly or unwillingly—I am hopefully sure unwillingly—plays into the hands of Roosevelt baiters like Woodring, former Senator Reed, of Missouri, and former Congressman John J. O'Connor and other disgruntled, frustrated, and revengeful former Democrats, all sappers and underminers of our Democratic Party. They are Pharisees, and must be denied admission as Democrats to the Chicago

convention. The Republicans are welcome to them. I fear that Gene has the wrong sow by the ear.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

(Mr. MURRAY of Wisconsin asked and was given permission to extend his own remarks in the RECORD.)

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by Willard H. Dow, president and general manager of the great Dow Chemical Co. I have submitted this document to the Government Printer, and I find, Mr. Speaker, that it will take three and three-quarter pages of the RECORD, the cost of which will be \$168.75. I ask that, notwithstanding the cost, I be permitted to extend my remarks in the Appendix of the RECORD and include therein this document.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a petition from the Bataan Relief Organization of Missoula, Mont.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the hearings of the Select Committee on Conservation of Wildlife Resources, and include therein a letter and a news release.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I delivered last week.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. RANKIN. Reserving the right to object, Mr. Speaker, I want to serve notice on the gentleman from California that he stuck some stuff in the REC-

ORD yesterday that somebody else wrote that contains a miserable lying attack on me, and I expect to answer it tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SUSTAINED-YIELD FOREST MANAGEMENT

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 250) to promote sustained-yield forest management in order thereby (a) to stabilize forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote the stability of forest industries, of employment, of communities, and of taxable forest wealth, through continuous supplies of timber; in order to provide for a continuous and ample supply of forest products; and in order to secure the benefits of forests in maintenance of water supply, regulation of stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife, the Secretary of Agriculture and the Secretary of the Interior are severally authorized to establish by formal declaration, when in their respective judgments such action would be in the public interest, cooperative sustained-yield units which shall consist of federally owned or administered forest land under the jurisdiction of the Secretary establishing the unit and, in addition thereto, land which reasonably may be expected to be made the subject of one or more of the cooperative agreements with private landowners authorized by section 2 of this act.

SEC. 2. The Secretary of Agriculture, with respect to forest land under his jurisdiction, and the Secretary of the Interior, with respect to forest land under his jurisdiction, are severally authorized, for the purposes specified in section 1 of this act, to enter into cooperative agreements with private owners of forest land within a cooperative sustained-yield unit, established pursuant to section 1 of this act, providing for the coordinated management of such private forest land and of federally owned or administered forest lands within the sustained-yield unit involved.

Each cooperative agreement may give the cooperating private landowner the privilege of purchasing without competitive bidding at prices not less than their appraised value, subject to periodic readjustments of stumpage rates and to such other conditions and requirements as the Secretary may prescribe, timber and other forest products from federally owned or administered forest land within the unit, in accordance with the provisions of sustained-yield management plans formulated or approved by the Secretary for the unit; shall limit the time, rate, and method of cutting or otherwise harvesting timber and other forest products from the land of the cooperating private landowner, due consideration being given to the character and condition of the timber, to the relation of the proposed cutting to the sustained-yield plan for the unit, and to the productive capacity of the land; shall prescribe the terms and conditions upon which the cooperating private landowner may sell

to any person timber and other forest products from his land, compliance by the purchaser with such conditions to be required by the contract of sale; shall contain such provisions as the Secretary deems necessary to protect the reasonable interest of other owners of forest land within the unit; and shall contain such other provisions as the Secretary deems necessary to protect the reasonable interest of other owners of forest land within the unit; and shall contain such other provisions as the Secretary believes necessary to carry out the purposes of this act.

Each cooperative agreement shall be placed on record in the county or counties in which the lands of the cooperating private landowner covered thereby are located, and the costs incident to such recordation may be paid out of any funds available for the protection or management of federally owned or administered forest land within the unit. When thus recorded, the agreement shall be binding upon the heirs, successors, and assigns of the owner of such land, and upon purchasers of timber or other forest products from such land, throughout the life of such cooperative agreement.

SEC. 3. The Secretary of Agriculture and the Secretary of the Interior are further severally authorized, whenever in their respective judgments the maintenance of a stable community or communities is primarily dependent upon the sale of timber or other forest products from federally owned or administered forest land and such maintenance cannot effectively be secured by following the usual procedure in selling such timber or other forest products, to establish by formal declaration for the purpose of maintaining the stability of such community or communities a sustained-yield unit consisting of forest land under the jurisdiction of the Secretary establishing such unit, to determine and define the boundaries of the community or communities for whose benefit such unit is created, and to sell, subject to such conditions and requirements as the Secretary believes necessary, federally owned or administered timber and other forest products from such unit without competitive bidding at prices not less than their appraised values, to responsible purchasers within such community or communities.

SEC. 4. Each of the said Secretaries is further authorized in his discretion to enter into cooperative agreements with the other Secretary, or with any Federal agency having jurisdiction over federally owned or administered forest land, or with any State or local agency having jurisdiction over publicly owned or administered forest land, providing for the inclusion of such land in any coordinated plan of management otherwise authorized by the provisions of this act when by such a cooperative agreement he may be aided in accomplishing the purposes of this act; but no federally or publicly owned or administered forest land not under the jurisdiction of the Secretary establishing the sustained-yield unit concerned shall be included in any such plan except in pursuance of a cooperative agreement made under this section.

SEC. 5. Before any sustained-yield unit authorized by section 1 or section 3 of this act shall be established, and before any cooperative agreement authorized by section 2 or section 4 of this act shall be entered into, advance notice thereof shall be given by publication in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of the federally owned or administered forest land involved. This notice shall state: (1) The location of the proposed unit; (2) the name of each proposed cooperator; (3) the

duration of the proposed cooperative agreement or agreements; (4) the location and estimated quantity of timber on the land of each proposed cooperator and on the Federal land involved; (5) the expected rate of cutting of such timber; and (6) the time and place of a public hearing to be held not less than 30 days after the first publication of said notice for the presentation of the advantages and disadvantages of the proposed action to the community or communities affected.

Before any sale agreement made without competition and involving more than \$500 in stumpage value of federally owned or administered timber shall be entered into under this act, advance notice thereof shall be given by publication in one or more newspapers of general circulation in the vicinity of the place where the timber is located, and the costs incident to such publication may be paid out of any funds available for the protection or management of federally owned or administered forest land within the unit concerned. This notice shall state: (1) The quantity and appraised value of the timber; (2) the time and place of a public hearing to be held not less than 30 days after the first publication of said notice if requested by the State or county where the timber is located or by any other person deemed to have a reasonable interest in the proposed sale or in its terms; and (3) the place where any request for a public hearing shall be made. Such requests need be considered only if received at the place designated in the notice not later than 15 days after the first publication of such notice. If a request for a hearing is received within the time designated, notice of the holding of the hearing shall be given not less than 10 days before the time set for such hearing, in the same manner as provided for the original notice.

The determination made by the Secretary having jurisdiction upon the proposals considered at any such hearing, which determination may include the modification of the terms of such proposals without further hearing thereon, together with the minutes or other record of the hearing, shall be available for public inspection during the life of any coordinated plan of management or agreement entered into in consequence of such determination.

SEC. 6. In addition to any other remedy available under existing law, upon failure of any private owner of forest land which is subject to a cooperative agreement entered into pursuant to this act to comply with the terms of such agreement, or upon failure of any purchaser of timber or other forest products from such land to comply with the terms and conditions required by such agreement to be included in the contract of sale, the Attorney General, at the request of the Secretary concerned, is authorized to institute against such owner or such purchaser a proceeding in equity in the proper district court of the United States, to require compliance with the terms and conditions of said cooperative agreement; and jurisdiction is hereby conferred upon said district courts to hear and determine such proceedings, to order compliance with the terms and conditions of cooperative agreements entered into pursuant to this act, and to make such temporary and final orders as shall be deemed just in the premises. As used in this section the term "owner" shall include the heirs, successors, and assigns of the landowner entering into the cooperative agreements.

SEC. 7. Whenever used in this act, the term "federally owned or administered forest land" shall be construed to mean forest land in which, or in the natural resources of which, the United States has a legal or equitable interest of any character sufficient to entitle the United States to control the management or disposition of the timber or other forest products thereon, except land heretofore or hereafter reserved or withdrawn for purposes

which are inconsistent with the exercise of the authority conferred by this act; and shall include trust or restricted Indian land, whether tribal or allotted, except that the timber and other forest products on such land shall not be sold without the consent of the Indians concerned.

SEC. 8. The Secretary of Agriculture and the Secretary of the Interior may severally prescribe such rules and regulations as may be appropriate to carry out the purposes of this act. Each Secretary may delegate any of his powers and duties under this act to other officers or employees of his Department.

SEC. 9. Nothing contained in this act shall be construed to abrogate or curtail any authority conferred upon the Secretary of Agriculture or the Secretary of the Interior by any act relating to management of federally owned or administered forest lands, and nothing contained in any such acts shall be construed to limit or restrict any authority conferred upon the Secretary of Agriculture or the Secretary of the Interior by this act.

SEC. 10. There are hereby authorized to be appropriated for the purposes of this act such sums as the Congress may from time to time deem necessary.

With the following committee amendment:

Page 9, line 17, strike out all of section 10 and insert the following:

"SEC. 10. Funds available for the protection or management of federally owned or administered forest land within the unit concerned may also be expended in carrying out the purposes of this act, and there are hereby authorized to be appropriated such additional sums for the purposes of this act as the Congress may from time to time deem necessary, but such additional sums shall not exceed \$150,000 for the Department of Agriculture and \$50,000 for the Department of the Interior for any fiscal year."

The committee amendment was agreed to.

MR. CASE. Mr. Speaker, I offer some amendments which are at the desk, and which I have submitted to the chairman and the objectors on both sides, and they are agreeable to them.

The Clerk read as follows:

Amendments offered by Mr. CASE:

On page 3, line 14, after the word "conditions", insert "but not the price."

On page 5, line 21, after the words "shall be given", insert "by registered mail to each landowner whose land is proposed to be included and."

On page 6, line 16, after the word "publication", insert "once weekly for 4 consecutive weeks."

On page 7, line 14, strike out the words "without further hearing thereon."

On page 8, line 24, strike out the words "the timber and other forest products on."

On page 9, line 1, strike out the word "sold" and insert the word "included."

MR. McCORMACK. Mr. Speaker, I move to strike out the last word.

Will the gentleman explain the amendments for the Record and for the benefit of the Members?

MR. CASE. I will be very glad to. These amendments are designed to overcome the objections which I voiced yesterday at the time the bill was under consideration. In each case the purpose of the amendment is to give ample notice to the persons concerned whose lands might be included in either sale or in these cooperative agreements. It will do nothing as far as destroying the major purpose of the bill is concerned.

Mr. McCORMACK. The gentleman has taken up the amendments with the members of the committee?

Mr. CASE. Yes; with the gentleman from Tennessee [Mr. PRIEST] and the gentleman from New York [Mr. COLE].

The SPEAKER. The question is on the amendments offered by the gentleman from South Dakota [Mr. CASE].

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

(Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.)

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a joint resolution adopted by the Legislature of the State of Vermont.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

DANIEL D. O'CONNELL AND ALMON B. STEWART

The Clerk called the first bill on the Private Calendar, H. R. 1962, for the relief of Daniel D. O'Connell and Almon B. Stewart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel D. O'Connell and Almon B. Stewart, both of Bangor, Maine, the sums of \$544.16 and \$1,732.22, respectively. Payment of such sums shall be in full satisfaction of all claims against the United States for damages sustained by them by the failure of George E. Glunt, of Altoona, Pa., to pay said Daniel D. O'Connell and Almon B. Stewart for labor and materials furnished as subcontractors under said George E. Glunt, who held a contract with the Civil Aeronautics Administration for the construction of an airways communication station building at the Bangor (Maine) Airport: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "Payment of such sums shall be."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSCOE MCKINLEY MEADOWS

The Clerk called the next bill, H. R. 1232, for the relief of Roscoe McKinley Meadows.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Emergency Officers' Retirement Act of May 24, 1928, Roscoe McKinley Meadows shall be held and considered to have served as an officer of the Navy of the United States during the World War other than as an officer of the Regular Navy.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA VIRTUDES TORRES STEERE

The Clerk called the next bill, H. R. 1715, for the relief of Mrs. Maria Virtudes Torres Steere.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GRANT of Indiana and Mr. McGREGOR objected; and under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

Mr. PRIEST. Mr. Speaker, that concludes the call of the calendar for today.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 46]

Andresen,	Furlong	Monroney
August H.	Gamble	Morrison, N. C.
Baldwin, Md.	Gathings	O'Connor
Baldwin, N. Y.	Gearhart	O'Toole
Barden	Gibson	Pfeiffer
Barry	Gifford	Phillips
Bates, Mass.	Green	Pracht,
Bender	Hall,	C. Frederick
Bennett, Mich.	Edwin Arthur Pratt,	Joseph M.
Bonner	Hancock	Ramey
Buckley	Harless, Ariz.	Rivers
Burgin	Heffernan	Sabath
Busbey	Hendricks	Sadowski
Byrne	Judd	Scanlon
Camp	Kee	Short
Chenoweth	Kelley	Smith, Va.
Cox	Keogh	Snyder
Curley	King	Somers, N. Y.
Dawson	Klein	Stearns, N. H.
Dingell	Lambertson	Taylor
Disney	Lane	Treadway
Eaton	Larcade	Vorys, Ohio
Engel, Mich.	LeFevre	Vorse!
Feighan	McGehee	Weaver
Fernandez	McLean	Whelchel, Ga.
Fish	Maas	Winter
Fogarty	Manasco	Woodrum, Va.
Folger	Marcantonio	Zimmerman
Fulmer	Morrow	

The SPEAKER. On this roll call 345 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD and include an article from the Chesapeake & Ohio Railway Time Card.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address delivered by my colleague, the gentleman from New Mexico [Mr. FERNANDEZ].

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter and an article by Mr. Crowley.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a broadcast which I intend to make next Sunday over WSOO.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include some letters.

The SPEAKER. Is there objection?

There was no objection.

RIVER AND HARBOR ACT

Mr. MANSFIELD of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3961, with Mr. COSTELLO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk has concluded the reading of the first section of the bill. That section is now open to amendment. Does the gentleman from Texas [Mr. MANSFIELD] desire to offer any amendments?

Mr. MANSFIELD of Texas. I do, Mr. Chairman.

Mr. BLAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Texas yield for a parliamentary inquiry?

Mr. MANSFIELD of Texas. Certainly.

Mr. BLAND. Mr. Chairman, as I understand, the various amendments that are proposed by the committee will be

offered first to the section which has been read.

The CHAIRMAN. The gentleman is quite correct.

Mr. BLAND. That leaves the rest of us who are not on the committee sitting on the outside looking in. I wonder if we could not have some greater semblance of order on the consideration of those amendments by considering the bill by pages, so that the amendments of the committee to a particular page might be offered, and then those on the outside who have amendments to be considered, might offer their amendments.

The CHAIRMAN. The Chair will state to the gentleman from Virginia that undoubtedly the amendments to be brought before the Committee will be offered in sequence according to pages, but it has been the standing rule of the House that members of a committee handling legislation shall be given preference in recognition.

Mr. BLAND. There are some 32 amendments to be offered by the committee. I have an amendment on page 10 which I wanted to offer. I ask unanimous consent that the amendments be considered by pages.

Mr. WHITE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE. It is my understanding that the procedure under which amendments would be considered today was agreed upon last evening by unanimous consent. Am I right?

The CHAIRMAN. There was simply an understanding that that would be the method under which the Committee would proceed. No unanimous-consent request was submitted, but that has been the order in which amendments have been recognized, preference being given to members of the committee handling the legislation. Other Members having amendments are recognized following the recognition of members of the committee.

Mr. WHITE. Mr. Chairman, if my memory serves me correct, I think the Record of yesterday's proceedings will show that unanimous consent was asked and given for a certain procedure to be followed today.

The CHAIRMAN. The Chair will state to the gentleman from Idaho that the Committee will proceed, under the rules of the House, and the chairman of the committee in charge of the legislation will be recognized first to submit amendments.

The gentleman from Texas is recognized.

Mr. MANSFIELD of Texas. Mr. Chairman, I presume the amendments as published in the Record this morning will be considered in sequence.

The CHAIRMAN. Does the gentleman desire to offer them at this time?

Mr. MANSFIELD of Texas. Yes, Mr. Chairman.

Mr. Chairman, I offer the first committee amendment. I may say this appears at page 2764 of the Record.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 2, lines 19 and 20, strike out "authorized by any act of Congress" and insert "constructed and maintained under the direction of the Secretary of War and supervision of the Chief of Engineers."

Mr. CARTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARTER. I have an amendment at the Clerk's desk that, in line 16, page 2, inserts a period after the word "region" and strikes out the remainder of the paragraph. Is my motion to strike out the paragraph, which would be amended by the amendment offered by the gentleman from Texas, in order at this time as a substitute?

The CHAIRMAN. The Chair will state to the gentleman from California that his amendment would not be a substitute in view of the fact it incorporates additional language as well as that which the gentleman from Texas is offering. The gentleman may offer his amendment subsequently as a separate amendment and it will be considered by the Committee at that time.

Mr. CARTER. The Chairman means after the consideration of the pending amendment?

The CHAIRMAN. No; it would follow the consideration of all the committee amendments. Does the gentleman from Texas desire recognition?

Mr. MANSFIELD of Texas. Yes, Mr. Chairman.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk again read the amendment.

The CHAIRMAN. The gentleman from Texas [Mr. MANSFIELD] is recognized for 5 minutes.

Mr. MANSFIELD of Texas. Mr. Chairman, this amendment follows the usual form in which all river and harbor work has been handled throughout the years. This inserts the usual language used for that purpose.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. RANKIN. This amendment just limits it to those projects which come under the supervision of the Army engineers.

Mr. MANSFIELD of Texas. Yes; it eliminates flood control, reclamation, and other projects.

Mr. RANKIN. It eliminates those projects built under the supervision of the Interior Department.

Mr. MANSFIELD of Texas. Yes; it confines it to the projects in this bill.

Mr. CARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I stated a few moments ago, I shall offer an amendment to strike out language beginning on line 16 on page 2 immediately after the word

"region," strike out the remainder of the paragraph, including the part that has been offered by the gentleman from Texas should his amendment prevail. I have no objection to the inclusion of the language he suggests, for I shall move to strike out the whole thing on the ground that it is an unusual grant of power, a power of which I think the Congress should not at this time divest itself.

Mr. MANSFIELD of Texas. I may state to the gentleman from California that my amendment will not prejudice his amendment when it is offered.

Mr. CARTER. No; it will not. May I say further, Mr. Chairman, that the chairman of this committee who is offering this amendment at this time stated here in the House yesterday that he favored an amendment to strike out such as I propose to offer a little later.

Mr. MANSFIELD of Texas. That is correct, but if that amendment should fail to carry, then it is important to have this language in the bill.

Mr. CARTER. That is true.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last word and ask unanimous consent to speak out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WADSWORTH. Mr. Chairman, I make this request—perhaps it is an unusual one under the circumstances—because I am in receipt of a memorandum from an officer of general rank who has taken an active part in the military operations in the Mediterranean area and who in his memorandum describes an incident that occurred upon the battlefield, and enclosed with it a copy of a poem written by a soldier. I am not at liberty to give the name of the soldier-author of the poem, but I thought my colleagues in the House would bear with me just a moment while I read to them a very brief description of this incident and the poem itself.

According to the general officer who communicated with me, this man wrote this poem after being wounded on the battlefield. He led his tank platoon in a gallant and successful attack on a certain German station and was later decorated for his action in this attack. His foot was badly mangled when his tank was knocked out by a German 88. A fellow officer amputated it while they were hiding from the Germans in a ditch. He lay there for hours. He thought he was dying when he wrote this poem. The poem is entitled: "What Did You Do Today, My Friend?" and it reads as follows:

What did you do today, my friend,
From morn until dark?
How many times did you complain
The rationing is too tight?
When are you going to start to do
All of the things you say?
A soldier would like to know, my friend,
What did you do today?

We met the enemy today
And took the town by storm.
Happy reading it will make
For you tomorrow morn.
You'll read with satisfaction
The brief communique.
We fought, but are you fighting?
What did you do today?

My gunner died in my arms today;
I feel his warm blood yet.
Your neighbor's dying boy gave out
A scream I can't forget.
On my right a tank was hit,
A flash and then a fire;
The stench of burning flesh
Still rises from the pyre.

What did you do today, my friend,
To help us with the task?
Did you work harder and longer for less,
Or is that too much to ask?
What right have I to ask you this?
You probably will say,
Maybe now you'll understand;
You see, I died today.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I desire to call attention to a situation that has developed in New York Harbor, which is quite pertinent to this bill, because we are appropriating or will appropriate under the authorization of this bill millions and millions of dollars. We can dig, we can dredge, we can reclaim, we can abate all pollution in all the rivers and harbors of the country, but if the administration of the officers having to do with those rivers and harbors is inadequate, inefficient, shortsighted, or illiberal, then the bill that we pass and the appropriations that we provide are utterly useless.

I draw attention to a situation in New York Harbor at the port of Newark. One Major General Farthing is in charge of the port of Newark, a very distinguished soldier and a very fine administrator, but nonetheless quite stubborn and quite unwise in a certain respect. By his activities he has set up a monopoly of all the lighterage business in New York Harbor emanating from the port of Newark so that the private lighterage concerns are practically in the doldrums. For example, General Farthing has given a contract without public bidding, he has given it privately, to a certain concern called the Christie Scow Corporation, which incidentally, and this is passing strange, is headed by a major in the armed forces. This constitutes a monopoly of the lighterage from the port of Newark to other points in the New York Harbor area.

Mr. Chairman, there is no need for New York Harbor improvements, Hudson River improvements, East River improvements, Newark Bay improvements, if the views of Major General Farthing are to prevail, because he will eventually succeed in driving from the harbor and those rivers tributary to the harbor all the independent lighterage concerns in those waters. I have warned the General that that situation must stop and that if there are any contracts to be let, all lighterage companies and all scow companies should be invited to bid, so that the Government may get the competitive benefit and the competing wisdom of all those companies in New York Harbor. Finally the one offering the lowest port services should get the bid—be the successful bidder. Undercover or private bidding should have no place in such a situation as important as lighterage in New York Harbor.

I have sent a communication to the Smaller War Plants Corporation with reference to the setting up of this

monopoly. I have yet to hear finally from the Smaller War Plants Corporation. The letter which I sent will indeed be grist to the mill of that Smaller War Plants Corporation. I am informed that Assistant Secretary of War Patterson has had made known to him the setting up of this monopoly and the baneful effect it will have upon the harbor of New York.

I here and now warn General Farthing that that practice of setting up such monopolies must cease here and now. I say all this despite General Farthing's ability. He should see the light and make his record even better.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Texas [Mr. MANSFIELD].

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk. The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 14, between lines 8 and 9, insert the following paragraph: "St. Johns River, Fla., Jacksonville to Lake Harney; House Document No. 445, Seventy-eighth Congress."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk. The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 19, between lines 3 and 4, insert the following paragraph: "Lavin Reservoir on East Fork of Trinity River, Tex.; in accordance with the report of the Chief of Engineers dated February 10, 1944."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk. The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 19, line 5, after "Congress"; insert "and in accordance with the report of the Chief of Engineers dated August 21, 1943."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk. The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 20, lines 18 and 19, after "Seventy-sixth Congress", strike out the comma and the word "and" and insert a semicolon in lieu thereof, and after the semicolon at the end of line 19 insert "and 449, Seventy-eighth Congress."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk. The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 21, line 13, after "Congress", strike out the semicolon, insert a colon, and the following proviso: "Provided, That such improvement when accomplished

shall not create any demand on the water resources of the Missouri Basin over that now authorized by existing law."

Mr. BARRETT. Mr. Chairman, I offer a substitute amendment for the committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BARRETT as substitute for the committee amendment in lieu of the matter proposed by the committee amendment: Page 21, line 13, after the word "Congress", substitute a colon for the semicolon and insert the following: "Provided, That the use of waters of the Missouri River and its tributaries for municipal, domestic, or livestock water supply, for irrigation of arid or semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby and that any use of such waters for the maintenance of a navigable channel shall be subordinate to and shall not interfere with any of the aforesaid uses heretofore or hereafter established."

Mr. MANSFIELD of Texas. Mr. Chairman, I make a point of order against the amendment just offered by the gentleman from Wyoming [Mr. BARRETT].

The CHAIRMAN. The gentleman will state his point of order.

Mr. MANSFIELD of Texas. My point of order is that the amendment is in violation of the Constitution of the United States. The Constitution places interstate commerce and improvements for that purpose under the jurisdiction of the Federal Government. This amendment would subordinate it to an act of a State legislature.

The CHAIRMAN. The Chair may say to the gentleman from Texas that it is not within the province of the Chair to rule upon the constitutionality of the amendment offered by the gentleman from Wyoming; therefore the Chair overrules the point of order.

Mr. BARRETT. Mr. Chairman, the State of Wyoming is tremendously interested in this section of the bill. Three-fourths of our State drains into the Missouri River. We furnish more than 5,000,000 acre-feet of water to the Missouri River Basin each year. We have in our State 1,800,000 acres of adjudicated water rights. Last year we irrigated 1,000,000 acres because there was an insufficient supply to irrigate the other 800,000 acres. We have an additional 600,000 acres that can be irrigated when we have the water stored for that purpose. The development of this great resource will create over 10,000 new farms and will increase our population by nearly 200,000 people. It will provide homes for thousands of our boys and their buddies when this war is over. If Congress by its action here takes our water, the development of our State is at an end. Today we must determine the proper use of the waters of the Missouri and its tributaries. The amount of water available is limited. It must be set aside for the greatest benefit of all the people of this and future generations in the basin, and for the Nation. Of course, we favor flood control. The Missouri River is the longest river in the country. It is about the only river of consequence that has not been harnessed and developed. The loss of human life and the destruction of property on the

Missouri River must be ended for all time. By the wise utilization of the waters of the Missouri and its tributaries, we can achieve flood control, irrigation, and adequate power development in aid of irrigation. The requirements of navigation must be considered, but only in its proper relative place in a comprehensive plan for the whole Valley. Most assuredly we must raise the foodstuffs first, before they can be transported. To my way of thinking, the problem is just this. The recorded average discharge of the Missouri River at Yankton is 15,768,000 acre-feet. To service a 6-foot channel from Sioux City to the mouth of the Missouri will take 11,600,000 acre-feet a year. The Bureau of Reclamation states that above Yankton, in the Upper Basin States, there are 3,200,000 acres of potential irrigable land. In order to irrigate that it will take 4,160,000 acre-feet of water each year. It is reliably estimated that when the water is applied to that land it will make homes for 500,000 people. That is more than twice the population of my State. Now, if this proposed 9-foot channel will not take any more water than is needed for a 6-foot channel, then obviously there is water enough for all purposes. The great and distinguished chairman of the committee, the gentleman from Texas, Judge MANSFIELD, stated on the floor that the plan for a 9-foot channel does not call for any additional water from the Missouri River Basin, but will be achieved by extension of contraction systems, bank revetment, cut-offs, closing of channels, removing of snags, and dredging.

Now, Mr. Chairman, the question is, How can the rights of people in the Upper Basin States be protected? No reasonable man can expect the people in the arid sections to send water downstream 2,000 miles to an area with an abundance of rainfall, in order to sail a battleship. The committee amendment is wholly inadequate. That amendment reads:

Provided, That such improvements when accomplished shall not create any demand on the water resources of the Missouri Basin over that now authorized by existing law.

Under the commerce clause of the Constitution, the Congress has control of rivers for navigation. Under Supreme Court decisions, any stream tributary to a navigable stream is declared to be navigable. Therefore under the supreme law of the land, and under existing law, any waters that are needed may be used for navigation purposes. This centralized Federal control supersedes State laws for appropriation for irrigation, domestic, and industrial purposes. The committee amendment therefore dedicates all water needed for navigation purposes. Congress has recognized the rights of the State to appropriate its own waters for these purposes, but this amendment renders that control wholly ineffective. The conclusion is irresistible. By this amendment we are wholly unprotected. Now the Congress has recognized a 6-foot channel. All we ask is that we be protected before this proposal for a 9-foot channel is authorized. We are entitled to that protection. The amendment I offered reads:

Provided, That the use of waters of the Missouri River and its tributaries for municipal, domestic, or livestock water supply, for irrigation of arid or semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby and that any use of such waters for the maintenance of a navigable channel shall be subordinate to and shall not interfere with any of the aforesaid uses heretofore or hereafter established.

It is fair and reasonable, and should be adopted.

Mr. CARTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I come from an irrigation State. If irrigation was taken out of California it certainly would be very badly damaged. Thousands of fertile acres would revert to a desert. Having that interest in irrigation and reclamation work, still I am opposed to the amendment that has been proposed here by my good friend from Wyoming. He cannot cite me one single instance in the history of this country where the improvement of navigation has in any way injured the irrigation interests. In every case that I know of by improvement of navigation, by the building of a dam to help navigation, the irrigation interests have also been helped.

So, as one who comes from a State whose very destiny is bound up in irrigation, I have supported here over a period of many years appropriations for improvement of navigation, because I knew it supplemented the irrigation work.

Mr. PITTINGER. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield.

Mr. PITTINGER. Mr. Chairman, as a matter of fact, the whole controversy raised by this proposed amendment has been gone into very extensively by the Committee on Rivers and Harbors, both sides had an opportunity to be heard, and the committee amendment seeks to protect everybody fully; is that not right?

Mr. CARTER. What the gentleman from Minnesota states is correct. We heard this whole argument there, and I am sure there was a very sympathetic understanding of the situation by the members of the Committee on Rivers and Harbors.

We do not want to injure irrigation in any way. I challenge anyone in this Chamber to rise to state one instance where an irrigation project has ever been injured by any navigation improvement.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield if the gentleman can cite me an example.

Mr. BARRETT. I can cite you the facts by the Army engineers themselves. They contend that it will take 16,000,000 acre-feet of water at Yankton, S. Dak., to provide a 9-foot channel. The United States Geological Survey shows that there are only 15,768,000 acre-feet of water at Yankton. Accordingly, the 9-foot channel will take all the water for navigation and leave none for irrigation.

Mr. CARTER. The Fort Peck Dam and Reservoir provides a storage of 19,600,000 acre-feet. Even admitting every-

thing the gentleman has said, we are going to have ample storage there to take care of navigation and have a surplus for irrigation.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Oregon.

Mr. ANGELL. May I ask the gentleman if it is not true that the committee will place an amendment in the bill to the effect that this bill shall not be construed to authorize the appropriation of any additional water that is not already allowed by law?

Mr. CARTER. That is the amendment we are considering at the present time. We are not trying to take anything away from these irrigationists, and I thank the gentleman from Oregon, for I know that he too is interested in irrigation. His State is dependent upon it. If I thought for a moment that these improvements were in any way going to interfere with, retard, impede, or destroy our irrigation efforts, I certainly would not be for this amendment. But as has been stated here, after a thorough hearing in which several people from irrigation States were present, the committee decided upon the adoption of this amendment.

Mr. MANSFIELD of Montana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the Barrett amendment, which we of Montana feel will give us more security. In our State we are just becoming aware of how important our water is to us, and I think it would be well to bring to the attention of the House the future need for irrigated lands and the part that we in Montana hope to play in that respect. Before I start in on my subject, though, I should like to state that the gentleman from Montana [Mr. O'CONNOR] is ill in the hospital and, therefore, unable to be here to express in person his support of our stand in the question under discussion.

Food requirements of the Nation now consume the production of 530,000,000 acres of improved farm land or 4 acres per capita.

Census reports show that while our population is increasing at the rate of about 1,000,000 annually the acreage of improved farm lands in the 31 Eastern States is steadily decreasing and our recent production has been maintained by the large increase in acreage and volume of crops from the 17 Western States.

During the past 20 years our foreign agricultural commerce has changed from a large surplus of exports to a present excess of imports over exports approaching a billion dollars annually.

In the same period the effects of farm mechanization on farm feed required has been absorbed, higher living standards are requiring more vegetable, fruit, and dairy products, and new industrial developments are demanding a larger share of farm production.

Favorable growing conditions for the past several years, aided by the incentives of the war effort, have furnished national food supplies far greater than

can be expected in normal years from the same lands.

If the health and strength of the Nation is to be maintained and increased in the years to come more good land must be brought into cultivation.

The 20,000,000 acres of irrigated lands in the West produce much higher yields than humid-region soils, maintain and improve their fertility, and are adapted to many vital specialty crops.

Probably the largest remaining area of undeveloped irrigable land lies in the upper drainage of the Missouri River and is primarily centered in Montana, North and South Dakota, and Wyoming. In these regions there are now 4,410,000 acres supplied with water and exporting vast quantities of basic foods and livestock. Extensive surveys of the Bureau of Reclamation now being completed show that an additional area of 4,560,000 acres of good land can be successfully irrigated by the construction of reservoirs and canals to more fully utilize the waters of the streams originating in this region.

The production of crops on irrigated land requires the consumption of part of the water that is diverted from the streams and applied to the land.

Careful studies in various localities in the region show that this consumptive use varies from 1.10 acre-feet per acre to 1.55 acre-feet per acre depending on soil texture, kind of crops, and other factors, and that the average use is about 1.30 acre-feet. At this rate the 4,560,000 acres of future irrigation development will require 5,923,000 acre-feet of consumptive use water to produce the crops.

As present irrigation uses are already reflected in the flows of the Missouri River, this additional amount will be slightly over one-third of the average flow at Sioux City and less than one-fourth of the discharge of the Missouri at Kansas City.

According to recent studies of the Bureau of Reclamation about 3,200,000 acres of the 4,560,000 acres of future development would be located on the Missouri River or its tributaries above Yankton, S. D., and at the rate of 1.30 acre-feet per acre for the irrigation use would reduce the average flow at that point by about 4,160,000 acre-feet.

The recorded average discharge of the river at this point is 15,768,000 so there would still remain an average of 11,600,000 acre-feet to serve any justifiable navigation or other uses.

On the other hand, as demonstrated in the statement by Harry W. Bashore, Commissioner of Reclamation, before the Flood Control Committee of the House on February 17, 1944, that while the requirement of 11,600,000 acre-feet for a 6-foot navigation channel from Yankton to the mouth of the river could be filled and still leave approximately enough water on the average to supply prospective irrigation demands, the requirement of 16,800,000 acre-feet for a 9-foot channel would consume all of the flow of the stream and leave no water at all for further irrigation development.

The Barrett amendment means much to us of Montana and I sincerely hope

the House will see fit to uphold our stand. Water is our greatest asset and we need it to develop our State for our benefit and that of the Nation as a whole.

Mr. BARRETT. Mr. Chairman, my colleague the gentleman from Montana [Mr. O'CONNOR] is unavoidably detained because of illness, and I ask unanimous consent to extend his remarks in the Record at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, the pending rivers and harbors bill, H. R. 3961, contains an item for the Missouri River which reads as follows:

Missouri River between Sioux City, Iowa, and the mouth; House Document No. 214, Seventy-sixth Congress.

An inadequate amendment to that item was reported out by the committee on February 22. The committee amendment would not afford the protection that the Upper Basin States must have if they are to grow through increase in their beneficial consumptive use of water.

I appeared at the hearing of the Rivers and Harbors Committee held on February 19, and proposed an amendment that would afford real protection to the Upper Basin States. My proposed amendment to the Missouri River item reads as follows:

Provided, That the use of waters of the Missouri River and its tributaries for municipal, domestic, or livestock water supply, for irrigation of arid or semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby and that any use of such waters for the maintenance of a navigable channel shall be subordinate to and shall not interfere with any of the aforesaid uses hereto or hereafter established.

It was stated at the hearings by the proponents of the 9-foot channel that the improvements proposed for the Missouri River would be accomplished by revetment and similar work and would not require any additional draft on the waters of the Missouri River and its tributaries other than what is now authorized. Naturally, however, we in Montana and the other Upper Basin States want to make sure that beneficial consumptive use of the waters which rise in our States shall be unhampered by any navigation project in the lower reaches of the Missouri River. We cannot afford to have our future jeopardized by what is proposed nor by any uncertainty as to what is presently authorized.

I have examined the Army reports and the existing legislation to determine what is now authorized in the way of a navigation project on the Missouri River. The Rivers and Harbors Act of 1935 (49 Stat. 1028 at p. 1034) provides the existing authorization. It reads:

Missouri River, completion of improvement from mouth to Sioux City, Iowa, and construction of Fort Peck Dam; House Document No. 238, Seventy-third Congress.

Since the existing authorization was made in accordance with House Document No. 238, I examined that document. It is the report of the Chief of Engineers, dated September 30, 1933, officially described as "containing a general plan for the improvement of Missouri

River, for the purposes of navigation and efficient development of its water power, the control of floods, and the needs of irrigation." It contains the reports of the district engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, and it requires that you read from the back to the front, for starting with the district engineer and proceeding upward in the hierarchy, each report refers to the reports below it. The Chief of Engineers' report apparently is the last word in the document. After summarizing the reports of the others, he concluded—page 12, paragraph 26:

After due consideration of the above-mentioned reports, I concur in the general plan of improvement formulated by the district engineer, and recommend that it be developed into execution as economic conditions may warrant in the future.

As described by the Chief of Engineers—page 8, paragraph 15—the district engineer's comprehensive plan of development for the maximum utilization of the streams of the basin included, among other things, a total of 80 additional irrigation projects embodying an irrigable area of about 2,844,000 acres. The Chief of Engineers in his conclusion further recommended:

That the project for navigation on the main stem as heretofore authorized [6-foot channel], namely from the mouth to Sioux City, Iowa, be vigorously pressed to completion, and that, in addition, the reservoir at the site of Fort Peck be built to the maximum practicable capacity and be operated primarily for navigation.

In passing, I should note that to find the start of the 6-foot channel authorization, the 1933 report—House Document No. 238—refers back to the years 1912 and 1927 to another collection of reports.

Thus I found that the 1935 act authorized a comprehensive plan providing, among other things, for additional irrigation in the upper basin, the completion of the 6-foot channel, and the construction of Fort Peck Dam to the maximum practicable capacity.

In the pending bill, H. R. 3961, the Missouri River item makes reference to still another report, House Document No. 214, Seventy-sixth Congress. In that report the Chief of Engineers concurred in the views and recommendations of the Board of Engineers, namely, that there be adopted—

A project for Missouri River between Sioux City and the mouth to provide for a channel of 9-foot depth and width not less than 300 feet, to be obtained by revetment of banks, construction of permeable dikes to contract and stabilize the waterway, cut-offs to eliminate long bends, closing of minor channels, removal of snags, and dredging as required.

As stated in the report of the Board of Engineers, the project as presently authorized by Congress is one—

To provide in the 795 miles below Sioux City, Iowa, a channel 6 feet deep, with a minimum width of 200 feet and reasonable additional width around bends, to be obtained by construction of works to contract and stabilize the low-water channel, supplementing as necessary by dredging, and aided by the operation of the Fort Peck Reservoir to assure an adequate minimum flow.

The committee's report on the pending bill—Report No. 1000—indicates that the committee recognizes that the presently authorized project is one for a 6-foot channel 200 feet wide.

It seems clear enough after examination of a multitude of reports that the Congress in 1935 authorized completion of a project for a 6-foot navigable channel from Sioux City to the mouth of the river. It is equally clear that at the same time the Congress authorized a comprehensive plan which contemplated additional irrigation development in the upper basin.

But is the comprehensive plan's provision for increase in upstream use of water consistent with the authorization of Fort Peck Dam and the Chief of Engineers' recommendation that it "be built to the maximum practicable capacity, and be operated primarily for navigation"? The capacity of Fort Peck Dam, as actually built, exceeds 19,000,000 acre-feet. The Army's report in 1933 said that a Fort Peck Dam of 17,000,000 acre-feet capacity could service a 9-foot channel. They also then said that 20,000 cubic second-feet of flow at Yankton, S. Dak., would be required for a 6-foot channel and that 30,000 cubic feet per second flow would be required for a 9-foot channel.

However—and here comes the most troublesome fact—the Geological Survey's stream measurements show that from 1929 to 1942 the average annual flow of the Missouri River at Yankton was only 21,780 cubic feet per second.

Irrigation depends on water. If Fort Peck Dam could call repeatedly for 19,000,000 acre-feet to be stored, regulated, and released primarily for navigation, what would the future of the Upper Basin States be in a period like the recent one from 1929 to 1942? It would be pitiful. I assure you it would produce little, if any, freight traffic for a 9-foot or even a 6-foot channel.

It has been suggested that since the 1935 Rivers and Harbors Act authorized Fort Peck Dam, the Congress might be said to have committed the flow of the Missouri, to the extent of the reservoir's capacity of 19,000,000 acre-feet, to navigation purposes.

I have not heard any such position argued by the Army engineers, nor by any member of the Rivers and Harbors Committee, and I do not know whether the Army engineers or the committee believe in such an argument. The Army reports bearing on this matter are too many and too voluminous to give a clear and easy answer. Should such a position be taken, it certainly would be unconscionable. It would have one part of the 1935 authorization give the lie to another part of the 1935 authorization, namely, the authorization of a comprehensive plan for additional irrigation development upstream.

I am sure that had Senator WHEELER thought for 1 minute that the 1935 item for the Missouri River in the river and harbor bill had a remote chance of being construed to commit 19,000,000 acre-feet for navigation, he and the entire congressional delegation from the Upper

Basin States, probably joined by all the delegations of all of the other Western States, would have insisted on protection against any such possibility. Certainly the Upper Basin States were lulled into a sense of security by the representations of the Army report in House Document No. 238 that there was to be much additional development upstream of beneficial consumptive uses of the waters of the river.

I understand that the Army engineers say that the 9-foot channel proposed can be accomplished and maintained merely by revetment and other works and without any additional draft on the waters rising in the upper basin. The proposed project will have to be accomplished merely by such works, for we in Montana and the other Upper Basin States insist on legislative protection of future as well as present consumptive use of the waters of the upper basin for which future development was authorized in the 1935 act. In other words, navigation projects heretofore, now, or hereafter authorized for the Missouri River must not jeopardize in any way the present or future beneficial consumptive use of waters in the upper basin.

The amendment to the Missouri River item in H. R. 3961 reported by the committee and any other language that might be suggested which ties into what is "presently authorized," in my judgment, is entirely unsatisfactory and must be rejected by the Upper Basin States and by all the Western States that are interested in preserving for use within those States the beneficial consumptive use of the waters that rise in those States. We should prevent any interference with developments in these upstream States, whether the interferences be intended or unintentional. We must have such protection as would be afforded by an amendment such as I have proposed. We cannot be satisfied with any vague assurances that may be found by exhaustive analysis of report on report on report that are bound up together and become a House document referred to in a river and harbor item. We want, we must have, and I am sure that the Congress will agree we should have, the specific legislative assurance that the waters in our Upper Basin States can be put to beneficial consumptive use there to the maximum practicable extent.

Consider the specific beneficial consumptive uses which are enumerated in my amendment.

Municipal uses: Would Congress deny us an assurance that our cities, as they grow, shall have an adequate water supply?

Domestic uses: Would the Congress deny us assurance that there shall be adequate water for domestic life?

Livestock water supply: Would the Congress deny us an assurance of whatever water supply we need to supply our growing livestock industry?

Irrigation of arid or semiarid land: Would the Congress deny us the assurance of sufficient water to change our sagebrush lands into homesteads where returning soldiers and other worthy

American citizens can find an opportunity to earn their own living by their own work on their own land?

Mining and industrial purposes: Would the Congress deny us an assurance that we shall have sufficient water to make possible the growth of our mining and industrial life, on which a substantial part of our war production is now dependent and which may be necessary again for the national defense?

All we ask is an assurance that we shall have in that great upper basin—in the States of Montana, North Dakota, South Dakota, and Wyoming—where water is the prime essential, the beneficial consumptive use of the waters that rise in our own States so that we can live and grow and be an even more solid and substantial part of this Nation.

It is merely these assurances which we insist on in the amendment I proposed. Again I read it:

Provided, That the use of waters of the Missouri River and its tributaries for municipal, domestic, or livestock water supply, for irrigation of arid or semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby and that any use of such waters for the maintenance of a navigable channel shall be subordinate to and shall not interfere with any of the aforesaid uses heretofore or hereafter established.

Mr. LEMKE. Mr. Chairman, I rise in support of the amendment. We are told that this bill does not interfere with irrigation. If that statement is true, then why do you object to this simple amendment? Then why not accept it and allay our apprehensions? I speak for my State, as well as the other States in the drought area, when I speak for this amendment. I shall also support the amendment that the gentleman from Utah [Mr. ROBINSON] will offer later.

These amendments in no way interfere with navigation, provided there is enough water for all concerned. However, we are vitally concerned in having first claim on the water for local and domestic purposes. We are for irrigation because it affects the Nation's food supplies. We are for water conservation in the States where it emanates. We are for navigation only after we have protected the property and lives of the lower Mississippi from floods.

This bill not only affects the western part of the United States, but affects the eastern part fully as well, because we all want an abundance of food. Unless we can increase our food supplies as our population increases, as Marvin Jones said the other day, we will not have enough food to go around.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. DONDERO. This amendment was so worded that it would not take one more drop of water for navigation than the law permits, and does the gentleman not think that that protects his State, and the Northwestern States?

Mr. LEMKE. No; it does not, because during the dry years it would take every drop of water that we have up there in the Missouri River, and especially so in the State of North Dakota. For instance, I remember the time when we

had to drive 40 miles to get water for cattle. We also want to build up our water resources, and rebuild the ground water levels. We can do this by keeping water for irrigation and domestic use.

Mr. DONDERO. Under this amendment we cannot take one drop of water that is not now permitted by existing law, and if the gentleman wants to do what he suggests, we will have to repeal some of the laws on the statute books.

Mr. LEMKE. If we pass this amendment we will conserve the water at least for the Western States for irrigation and domestic purposes. That should be the first claim of the water within any State. I am not concerned with the existing law, or what has been. I am concerned with what is going to be in the future, and this amendment will accomplish the thing that we need and want. It will assure us water for irrigation and after we get through with that, we would gladly give it to your 9-foot channel. But if you refuse us this amendment, then we might again have to haul water 40 miles for our livestock.

This amendment will not hurt your bill, if you are sincere in your statement that you agree with us that irrigation and water for domestic uses should have the first claim on the rivers arising and flowing through our States.

I am more interested in irrigation, flood control, and water conservation than in navigation. Navigation is useless unless you have something to navigate for. At this time, when the Western States and the Nation are thoroughly aroused—when we have become thoroughly water conscious—because of the appalling loss of human life and property occasioned by last year's floods, I wish to assure Congress that both the administration and the people are ready to join hands with you in order to prevent the recurrence of these catastrophes.

Let us strike while the iron is hot. We are going to control disastrous floods. We are not only going to solve the flood problem, but we are going to conserve and make use of this water for the people of the Western States and the Nation. The waters that are now wasted and permitted to run to the ocean, leaving destruction and misery in their wake, are going to be utilized. They are going to be harnessed, not only to furnish electrical power, but for irrigation and industrial purposes. After that you can have them for navigation.

We are going to impound the unused and uncontrolled flood waters. We are going to prevent disastrous floods in the Missouri and lower Mississippi Valleys. We will not only prevent the destruction of millions of dollars worth of property together with human lives, but we will also restore the ground water levels. This will lessen extreme droughts and dust storms. We are going to do this before we are going to navigate.

Few realize that our loss in crops, livestock, and other property caused by drought is many times greater than that caused by floods. For every million dollars worth of property lost by floods at least fifty million has been lost because of

drought. Let us impound the unused and uncontrolled floodwaters emanating in the interior of the United States. If we do this we will not only prevent floods permanently but we will be able to make use of these waters for productive and industrial enterprises and also for navigation.

Only those of us who live in the central part of the United States know that droughts have been far more destructive than floods. Unless we act now and keep the surplus water here where it belongs the periodical droughts will return. Nature repeats itself. We know to what extent ground waters and water supplies had disappeared a few years ago. Less than 10 years ago one-fourth of our livestock between the Continental Divide and the Missouri and the Mississippi Rivers was either sold or died of thirst and starvation because of a lack of water and moisture.

Do you know that during that period some farmers hauled water 10 to 30 miles for household use and for livestock? Do you know that thousands of cattle, horses, and sheep died because they ate dust-covered grass—that human beings not only choked in dust storms but died because they inhaled the dust?

In every State west of the Mississippi and east of the Continental Divide ground-water levels have fallen from 10 to 48 feet since 1878. The rainfall during the last 3 years has replaced some of the surface water, but they have not replaced the ground waters to any great extent. In 1878 Devils Lake was 35 feet deep and covered over 135 square miles. It was 60 miles long, with a steamboat running from Devils Lake to Minnewaukan. Today this lake is less than 7 feet deep and it covers less than 10 square miles.

The people of my State for many years asked the Federal Government to construct a dam at Big Bend in the Missouri River near Garrison and divert the floodwaters into Devils Lake. These waters now find their way into the Atlantic Ocean, with devastating destruction at times along the Missouri and Mississippi Valleys. Just why the Federal Government favored projects of less value over this more worthy one is, of course, a question that we may attribute to human shortcomings and lack of understanding.

This project was perhaps neglected because heretofore the Army engineers reported that it was not financially feasible; that it required too much money. In the past official Washington always shied away from projects that required a considerable sum of money. The real projects were generally overlooked and millions spent on so-called lesser projects, or should we say "pork barrel" projects.

Washington was penny-wise and pound-foolish. Circumstances have forced a change in the official attitude at Washington. The destructive floods last year and the demand for increased food supplies have aroused Washington from sleeping at the switch. The people demand action. The Army engineers have been busy making surveys. They have prepared their report for Congress.

It is known as the Pick report. That report is encouraging and favorable. It provides for multiple-purpose dams. The unused and floodwaters of the Missouri River will at last be utilized—they will be conserved and used for the production of wealth.

The people of North Dakota have been the first to advocate water conservation as a means to control floods. Years ago our State legislature appropriated money for a survey in connection with water conservation. Our State was a pioneer along this line. We owe a debt of gratitude to the men who had vision and who for years worked for water conservation. We are grateful to our Governor and our State water conservation commission who are now so actively engaged in bringing this vision of our pioneers to a successful realization.

Now that the Federal Government is on the job with its Army engineers and is ready to help, we must not lay down on the job. Congress must act. The Army engineers made their report. By a united demand of the States affected Congress will act and appropriate sufficient funds. But remember, even after Congress has acted, and the water has been impounded and is ready for use, there still remains the question of proper distribution among the States through which the Missouri River flows and also those which border on it. That use must be irrigation, domestic and industrial as well as for navigation.

That problem is still ours. There still remains the problem of proper utilization of this water so that it will produce wealth. The Western States will do their part, but they must have our active cooperation and support. The byproducts of this flood-control program are so many and so great that if properly made use of they will repay not only the expense but additional dividends by the daily use of these waters.

A few of the uses to which these waters can be put are irrigation, electric power, prevention of soil erosion, diminution of silt now carried to navigable streams. It will improve the general climate of the entire Missouri River Valley. It will give employment to thousands of men and add billions to the general wealth of the Nation. It will produce wealth not only today and tomorrow but through all the years yet to come.

Not only will Devils Lake again become a real lake, but it will enable us to add many more small lakes and irrigation projects to the already 1,400 artificial lakes that have been established in my State. It will help us to develop our agricultural and industrial resources. Early records show that there was once an abundance of water in more than 5,000 lakes and flowing streams in my State. There was an abundance of game and fish and wildlife. But during the past two or more decades many of these lakes, springs, and water holes disappeared, and the lowering of the ground water levels a few years ago caused an alarming situation.

Ten years ago many cities and towns faced the problem of obtaining an adequate water supply. Nearly all of the

streams, lakes, and water holes in my State and surrounding States had gone completely dry. Even the larger streams, such as the Yellowstone, the Missouri, the Red, and the James Rivers, ceased to flow. About 10 years ago I saw farmers attempt to raise vegetables in South Dakota in the bed of the James River. The attempt was unsuccessful because there was not enough moisture, even in the river bed.

I have presented these facts because human memory is short. After 2 or 3 years of sufficient rainfall we are likely to forget about the drought and the necessity of abundant water supply for irrigation. We are likely to forget the effect that this supply will have on the rainfall and climatic condition. In order to have rain you must have moisture. In order to have moisture you must have ground water. The floods and the droughts are largely man made. They are the result of overcultivation; the result of our shortsightedness. But the human race is generally shortsighted.

The reason for the recent floods is that by cultivation we have destroyed the natural reservoirs and water basins, as well as the grass and the timber that held the water's mad rush to the ocean in check. So also the reason for the gradual decrease of the water supply some 10 years ago was the result of overcultivation and drainage of the natural water basins, thus removing the grass and vegetation that retained the moisture caused by summer rains and winter snows.

This damage was done not deliberately but because of our ignorance of the final results. But now we know that water conservation and flood control is one of the most important problems confronting our Nation, ranking in importance over reforestation or forestation, because without water there can be no forest or vegetable life. Without water there can be no animal or human life. Everything in this world that grows or lives must have water. Unless we have water you will have nothing to navigate for.

This is a national, as well as a local, issue. It concerns every State and the very future welfare of our Nation. Floods and droughts have alternately become a national catastrophe. They can be controlled and prevented. We are now on our way and we shall not rest until we have accomplished our purpose. Our request is just and you ought to grant it without further opposition.

When this program has been completed the youth of my State and the Nation will be given a new opportunity. They will build homes and pursue agriculture on irrigated lands, as well as enter into industrial fields. It will give a new frontier to our State and National life. It will utilize and save the waters of the Nation where they are needed for irrigation, power, and navigation. It will harness the rivers and streams at their source and use them for the good of mankind, rather than to allow them to destroy millions of dollars worth of property, as well as human lives. It will add to our national defense by assuring a permanent and adequate food supply.

For the first time the eight States comprising the Missouri River Valley are thoroughly water conscious—they are co-operating. They are determined to prevent the destruction caused by floods. They are equally determined to utilize the surplus waters. The Federal Government is water conscious and the people of the Western States always have been water conscious.

The time is ripe. By united action of the people of my State and of these eight States affected, the dream of our pioneers will come true. The water of my State and the adjoining States will be used in such a way as to create billions of wealth in years to come.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. CASE. Mr. Chairman, I rise in opposition to the pro forma amendment and in support of the Barrett amendment.

Mr. Chairman, having appeared before the Committee on Rivers and Harbors during the time when this amendment which they have offered was under consideration, I think possibly I can clarify the situation a little bit. The amendment which the committee has offered is substantially the amendment which I suggested as the irreducible minimum of what should be adopted. At the time I appeared before the committee I said, however, that I regarded it as the minimum, and preferred an amendment substantially in the form of the one which has been offered by the gentleman from Wyoming, and that is my feeling today.

I regard the amendment offered by the gentleman from Wyoming [Mr. BARRETT] as preferable to the committee amendment. But it seems to me there is some confusion here with regard to the effect of the amendment proposed by the committee and with regard to the meaning of the commerce clause in the Constitution.

As I understand it, neither of these amendments is in violation of the Constitution. They are merely an exercise of the constitutional provisions.

The commerce clause of the Constitution merely says that the Congress, the Federal Government, shall have control over navigable streams. Then clearly it is within the power of Congress to declare, as a matter of policy, either that navigation shall have preference or that irrigation shall have preference. The effect of the committee amendment, it seems to me, would be altogether good, that is, it is certainly better than leaving this project without the amendment, because it provides that if this project should be accomplished, it should be done without increasing the demands on the water resources of the Missouri Basin above Sioux City over those in projects authorized by existing law.

There has been some confusion because some people have assumed that the word "authorized" meant the Constitution authorizes the use of all water for navigation. If that were the case, there would be little we could do about it here today. Now the Constitution does not

necessarily authorize navigation and navigation only any more than it authorizes the Congress to declare a policy upon navigation and other forms of interstate commerce on navigable streams. If the Constitution gave navigation an exclusive authorization to use navigable waters, we would be powerless here to adopt any effective policy unless we amend the Constitution, rather than simplify the bill before us.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. CASE. I am sorry, but my time is limited.

The word "authorized" in the committee amendment is used in the sense of "authorized projects," and projects that are now authorized by law are the authorizations referred to, not previous declarations of congressional policy. The amendment is restrictive and limits the water demand that can be created by the project proposed to be authorized here.

However, as a matter of exercising the power of the Congress and the power of the Federal Government over navigable streams, why should the amendment offered by the gentleman from Wyoming not be accepted? Does it harm anybody?

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. CASE. Mr. Chairman, I prefer not to yield inasmuch as I have such a limited time.

Can anybody seriously contend that the States where the water comes from should not have a prior right to use the water as they see fit?

Can anyone seriously contend that the States to which the water goes should have a prior right in determining the proper use of the water over and above the States where the water falls?

Now, if the States where the water originates feel that for their best interest and for the best interests of the country the prior right to the water should be established in favor of the use for reclamation or livestock water in industrial use, why should not that policy be here enunciated? It is certainly within the power of Congress to do so and that is all that is involved in this issue.

The upper States on the Missouri River are simply asking that the Congress declare that if a conflict ever should arise as to the use of this water, the right of the upper States to first use will be recognized. That is all there is to it.

Personally I do not expect in my lifetime, or in the lifetime of anyone here, that any conflict would ever arise because the projects that can be developed within our lifetime would not exhaust the water resources of the Missouri River Basin. But that question might arise, and if it ever did arise it would arise in the most critical years, in the drought years, when it is true, as the gentleman from North Dakota has said, we have had to go 40 or 50 miles for drinking water.

I grew up on a homestead in western South Dakota. During the dry years in 1910 and 1911 I used to drive stock to water and I used to haul water for the

family in a barrel on a stone boat. I know something of what it means when water runs short. In this amendment offered by the gentleman from Wyoming, we simply seek to make it clear that if a conflict ever does arise, that human needs and livestock needs will come first.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SMITH of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I must vote against this bill. This is the worst piece of "pork barrel" legislation that I have seen in the more than 5 years that I have been a Member of this body. I do not believe that we have any bona fide points which entitle us to the pork this measure would provide. It seems to me the points we are offering for this tempting, luscious, political meat are phony.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time to answer my distinguished friend the gentleman from Ohio [Mr. SMITH] when he calls this a "pork barrel" bill.

Shortly after the War between the States there was a judge trying a Negro down in Alabama for stealing a hog. The judge said, "Stand up, Bill, and receive the judgment of the court; do you have anything to say?"

The Negro said, "Yes'm, captain." He said, "I went through the war with you and we went out and stole hogs. You called it 'foraging' then, when you was hungry. How come it is stealing now, when my children is hungry?"

When is a project legitimate improvement and when is it pork?

I want the distinguished gentleman from Ohio to get this distinction. Congress has just provided \$1,350,000,000, I believe, for U. N. R. A.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. SMITH of Ohio. The gentleman from Mississippi is not insinuating that the gentleman from Ohio voted for U. N. R. A.?

Mr. RANKIN. No; the gentleman from Ohio did not, as I understand it.

That was for rehabilitation of foreign countries. This is "Inrra." This is for the benefit of the American people. I wonder when it ceases to be "pork" and when it becomes a legitimate project. Is it when it crosses the border line?

There is no "pork" in this bill. Every single project was investigated and passed on its own merits, and they were put in this bill because the majority of the members of the committee thought they were for the benefit of all the American people.

I will say to the gentleman from Ohio that there is no State in the Union that will derive more benefit from these projects than will the State of Ohio. We did not call it "pork" a few years ago when we were building all those dams on the Ohio River under the leadership of the distinguished gentleman from Ohio [Mr. BURTON]. It was not "pork" then. We were simply developing the Ohio River for the benefit of the people of the country. That is what is being done here on

every stream involved in this piece of legislation. I hope the gentleman from Ohio and those other gentlemen who are prone to cry "pork" every time we bring out a bill to try to develop the natural resources of America will take an inventory and study these questions before they make such charges. They will find this legislation is "Inrra." This is legislation for the benefit of all the American people.

Mr. BURDICK. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the Army engineers say that the only thing they want to do is to widen the stream from Sioux City to the point where the Missouri empties into the Mississippi to the extent of 300 feet. It is now 200 feet and they want to deepen the channel from 6 feet to 9 feet and they say they will not use any more water than is now available and going to waste. Well, if that is true, then no one ought to oppose this amendment. The only provision in this amendment that means anything to us who live in the arid west is that we do not want that channel to take away from us the water we need for livestock and the little irrigation plants that this Congress has already established along the Missouri River.

They say it will not take any more water. Why not put in the bill that they shall not take any water. That will dispose of this matter.

Mr. WHITE. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. WHITE. Is it not a fact that the very situation which the gentleman has in mind would be taken care of by a subsequent amendment that has been agreed upon by a group of Members of this House, which will be offered at the proper time?

Mr. BURDICK. I think the gentleman from Idaho is stating the truth about that.

Mr. WHITE. There is a general amendment coming along that will take care of that principle.

Mr. BURDICK. I yield to the gentleman from Ohio.

Mr. ROWE. Assuming that the original flood season will provide sufficient water to take up the extra space in this channel, that is not what concerns you. It is when the low season comes that requires other water, when you want protection?

Mr. BURDICK. That is right. We want protection so that we will not be stranded out there and have to drive our stock long distances to water. The largest round-up in our country comes in the drought time. The largest round-ups in our country come when the water fails.

Mr. ANGELL. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. ANGELL. The amendment which the chairman of our committee the gentleman from Texas, Judge MANSFIELD, offered is in this language:

Provided, That such improvement when accomplished shall not create any demand on the water resources of the Missouri Basin over that now authorized by existing law.

That is identically what you are pleading for.

Mr. BURDICK. There is a little difference. I do not know just exactly what provisions are in existing law in that respect. But whether they are in existing law or not, the only thing the western people ask for is that you do not interfere with the water which is necessary for the life of the West.

Mr. DONDERO. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. DONDERO. I think the members of the Committee on Rivers and Harbors had real sympathy with the viewpoint expressed by the gentleman from North Dakota and for that reason the committee accepted the amendment offered by the gentleman from South Dakota [Mr. CASE], which is the amendment just read by the gentleman from Oregon [Mr. ANGELL], in the hope that we could protect the interests of the people living in the arid States of the Northwest. That was the purpose of the committee in accepting that amendment.

Mr. BURDICK. I thank the gentleman for his contribution.

Mr. LEMKE. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. LEMKE. The record shows the amount of water they are now authorized to use at Sioux City would take every drop of water in the Missouri River during dry years.

Mr. BURDICK. Then the gentleman does not have any confidence in the report of the engineers that they will not use any more water than is now available?

Mr. LEMKE. That report is absolutely impossible under existing conditions unless they accept this amendment.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MANSFIELD of Montana. The purpose of the Barrett amendment is to give us some security for rights which we think are ours under the Constitution?

Mr. BURDICK. Yes, sir. I want to say that I am satisfied the sentiment of the House is such that it will protect the people in the West, but you are not always united on just what that amendment should do.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MANSFIELD of Texas. There is a misunderstanding on the part of these gentlemen as to what is now authorized under existing law. For the information of the gentleman from North Dakota, the amendment offered by the committee prohibits taking any more water than they are now taking.

Mr. LEMKE. But it says "now authorized." There is a difference between "taking" and "authorizing."

Mr. MANSFIELD of Texas. They are now taking all that is authorized. The Chief of Engineers has authorized that.

The CHAIRMAN. The time of the gentleman from North Dakota [Mr. BURDICK] has expired.

Mr. PETERSON of Georgia. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I cannot help but feel that there is some misunderstanding on the part of some Members as to just what is proposed here. If you will read the report that has been presented along with this bill, together with the hearings before our committee, you will find that under the present authorized projects there is provided a 6-foot channel from Sioux City to the mouth of the Missouri River. Under that authorization and under that project, four-fifths of that channel will be 9 feet in depth. The Chief of Engineers came before our committee with the proposition that by making certain alterations in that channel the entire distance from Sioux City to the mouth of the Missouri River can be made 9 feet in depth, just as four-fifths of it will be made without this proposal.

I wish to read to you what is contained in the report in this connection:

Completion of the authorized project for regulating works and operation of the Fort Peck Reservoir to maintain a low-water flow of 32,000 cubic feet per second at Kansas City will assure a navigable depth of 6 feet below Sioux City, with a depth of 9 feet available intermittently over four-fifths of the entire distance. At this additional cost, relatively small in comparison with that already incurred under the 6-foot project, and at no increase in annual maintenance costs, necessary extensions of some of the controlling works can be made that will assure a minimum depth of 9 feet throughout. A substantial commerce is already developing on the partially completed 6-foot channel with indications of steady increase as general economic conditions improve. The savings in transportation charges on the additional commerce that would be attracted to an assured 9-foot depth, savings from elimination of the cost of transshipment of freight to and from points on the connecting deeper channels, and the reduced operating costs resulting from movements in deeper waters are ample justification of the additional expenditure required to carry the improvement to the same standards as are authorized for the other major waterways of the Mississippi system.

When this question of the fear of the people of that section arose that the effect of making one-fifth of this area a 9-foot channel might mean more water, our committee had extensive hearings and went into this matter thoroughly, entirely in sympathy with the views and suspicions of the people of that area. After considering this matter at length we arrived at the amendment which, in the unanimous opinion of members of the committee, took care of this proposition. I would like to read that in order to make this absolutely clear.

Mr. DONDERO. Will the gentleman yield right there before he reads the amendment?

Mr. PETERSON of Georgia. I yield.

Mr. DONDERO. Is it not a fact that the gentleman from South Dakota [Mr. CASE] comes from an arid region of this country and no one in this House is more zealous about protecting the interests of the people of his country than the gentleman from South Dakota [Mr. CASE], and this is his amendment?

Mr. PETERSON of Georgia. That is correct. I appreciate the gentleman calling that to my attention. I would like to read this amendment:

Provided, That such improvement when accomplished, shall not create any demand on the water resources of the Missouri Basin over that now authorized by existing law.

If you folks would get a 9-foot channel instead of a 6-foot channel without the use of any more water, that will be of tremendous economic benefit to you, and we have written in an amendment here which protects you. It appears to me that we have more than answered every request that has been made.

Mr. HILL. Will the gentleman yield?

Mr. PETERSON of Georgia. I yield.

Mr. HILL. What do you mean by "authorized by law"? That is where we part company.

Mr. MANSFIELD of Texas. What the engineers have already authorized.

Mr. HILL. What law do you mean? Do you mean laws set down by the United States Government, or do you mean laws provided in the States where the water arises? If you will explain that to me, we would have no argument here this afternoon.

Mr. PETERSON of Georgia. The Government on these projects is using all the water authorized now.

Mr. HILL. What do you mean by "government"? Do you mean the Government of the United States or do you mean the State governments as they have provided for the use of that water in these original rights?

Mr. PETERSON of Georgia. Of course, the law limits the amount of water that may be used from the Fort Peck Reservoir by the Federal Government on these projects.

Mr. HILL. Of course, you do not dare to answer my question. This whole thing hinges around the idea whether the States control this water or whether you want to give it over to the Army engineers under a Federal department. It is about time this Congress came to life.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. PETERSON] has expired.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems to me this controversy rather divides itself into the question on the one hand of the navigators and on the other hand of the irrigators. According to the testimony of the Army engineers there is going to be enough water for everybody. The Army engineers perhaps have been the most respected body of authority along those lines that has been developed in the United States in the last 150 years. Long experience has taught us that we can rely upon the statements they make to us in their reports; so I believe that there is enough water for everybody.

Then we get to the question of what we are going to do in case there should not be enough. Some of you may not agree with me that there is enough water for everybody. Then what should we do? Mr. Chairman, if you will look at a map of the United States or, for that

matter, the map of any country in the world, you will see that the great cities are spotted along the streams and harbors. No great city can exist except in proximity to a body of water. It must have plenty of pure water. So if you will look at the streams here in the great central valley, the Mississippi, the Missouri, the Ohio, and the other streams tributary to that system, you will find along them great cities that have grown up. Those cities have grown up in the last 150 years because they were located upon those water systems. Cities like Kansas City, St. Louis, New Orleans, and these others have grown in their dependence upon water; they have to have it to exist. You folks up there in the so-called arid regions would have no markets for the things you grow if you destroyed these cities, and that is what you would do if you denied them that water they have gotten from the streams and the transportation that has been developed upon the streams in the last 150 years.

We have in every Anglo-Saxon civilization a system of rights established and recognized by long usage; it has been here a part of our common law from time immemorial—we recognize rights long established. When the folks up in North Dakota were fearing the Indians, the city of New Orleans was old. When Kansas City was a thriving metropolis there were great sections of the Northwest undeveloped. That was the situation long established prior to even the remotest dream of irrigation. So if you have any respect or consideration for the common law of your country you are bound to agree with me when I say that if there is a dispute as to whether there is enough water, priority must go to those cities which have their rights long established by custom and usage. It was just within the last year and a half that Kansas City, the city where I live, was threatened with a shutting down of their great power plants, serving great war industries, because we were not getting enough water from the Missouri River to furnish the steam to keep those plants in operation. There was a threat of disrupting the city's power and water systems.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. BELL. I cannot; I have not time. The city authorities and the people responsible for the operation of the war industries are faced with that ever-present threat of a shortage of water in the event that more water is taken out for irrigation. For these reasons, I am saying, Mr. Chairman, whether a Member lives in Missouri or up in North Dakota, South Dakota, Montana, or wherever he may live, if you want to maintain the economy of this country on the basis of the last 150 years, if you want a market for your goods, if you want a place where things are manufactured that can be given you in return for the things you sell, do not disturb the orderly life in these great valleys.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the distinguished gentleman from Michigan.

Mr. DONDERO. The gentleman from Missouri was a learned circuit judge and is a great lawyer. The question that seems to perplex the Committee this afternoon is this: Does Federal law or State law take priority in the question of who shall have the water first? What is the gentleman's opinion on that?

Mr. BELL. In my opinion, if a stream is navigable, it becomes a Federal stream, and Federal law, of course, takes precedence. That has been the rule in this country since the writing of the Constitution.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. WHITE. Answering the gentleman from Utah [Mr. GRANGER] with regard to the question of prior law, does not the amendment now before the House limit it to projects that have been constructed and authorized under provisions of existing law?

Mr. BELL. The gentleman means does that amendment refer to Federal law or State law?

Mr. WHITE. No; the language of the amendment reads "under existing law." Is not that limited to projects that have been authorized and have been or are being constructed?

Mr. BELL. That would be my opinion.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I was interested in the interrogation presented by the gentleman from Michigan to the gentleman from Missouri as to whether Federal law or State law would take precedence in these problems such as we are considering here today. The response of the gentleman from Missouri was that if a stream were a navigable stream Federal law would take precedence. I believe if we examine recent decisions of the Supreme Court, however, we shall find that practically any stream in the country today could be considered navigable from the standpoint of coming within the purview of Federal legislation, because the Supreme Court has held that a navigable stream is one which is navigable or which flows into a stream which is navigable; so, clear up the mountain slope to the little tricklet can be found some justification for saying it comes under Federal control under these far-reaching decisions.

The problem confronting us, it seems to me, does not go to the distinction between State and Federal control, because we are considering here today various and diverse methods of Federal approach to this problem of preserving to the upper States in the river valley, specifically the Missouri River Valley, rights and access to the water, and there has been some legitimate reason for concern over the original amendment proposed by my col-

league to the Committee on Rivers and Harbors which he now says he would prefer to have altered and modified by the provisions of the Granger amendment.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. CASE. At the time I appeared before the Committee on Rivers and Harbors I spoke in favor of an amendment substantially like the one offered by the gentleman from Wyoming but said that as a minimum I wanted to have at least the protection which was offered by the amendment which I suggested and which has been offered by the committee. I think we should have the protection given there, thereby recognizing that the other is preferable.

Mr. MUNDT. That is the thing I was going to say, that my colleague suggested his amendment as—I think he used the words "irreducible minimum"—as an irreducible minimum.

It is very true, as the gentleman from Missouri [Mr. BELL] has stated, that the cities farther down the valley should prosper and function well and that we of the upper regions want to sell them the produce which we raise. However, raising produce in the upper regions of the valley takes precedence over the marketing of the products, and to raise the produce many times it is necessary to supplement nature's rainfall by irrigation, and consequently we must protect our rights of irrigation or we may have nothing to sell either to the markets farther down that river, to markets on the seaboard, or even to foreign markets. Consequently we are deeply concerned that adequate provision be provided in the law which will guarantee to the people in the semiarid and arid regions of the country access to and use of this water for irrigation purposes. We believe with the Army engineers that there is water enough for all. We believe, too, that there are various ways of engineering a 9-foot channel. The width of the channel could be less, thus guaranteeing to the people who need water for irrigation purposes that the water will be available to them. It is conceivable that the channel could be a little narrower but still of 9-foot depth and thus take care of both the navigation and the irrigation interests by supplying adequate depth without making undue demands upon the water supply.

In H. R. 3961 the Congress is building the framework for the utilization of the waters of large river systems. This involves in many cases conflicting uses of water. Such conflict in turn precipitates questions of the future economic welfare of vast regions of the Nation. Some of the rivers on which projects are proposed by this bill rise in and are capable of furnishing water for irrigation of arid and semiarid areas. Agriculture in the arid region is limited by the availability of dependable water supplies. There is present in the whole problem the matter of a fair and reasonable balance between the economic benefits resulting from works authorized by Congress and designed to bring about one use or another. It is only sound policy that there should be a well-considered plan for the preser-

vation of these uses in fair balance and in relation to the greatest economic good for various sections of a river basin. This result can only arise from an integration of studies and investigations intended to encompass all of these often divergent uses of water.

Any act of Congress which would authorize projects which, when constructed and in operation, will have the effect of requiring water for one use in unreasonable and unnecessary disregard of another use is neither sound nor does it represent a fair consideration of the present economic needs or potential development of different areas of a river basin.

Mr. MANSFIELD of Montana. Will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. The Bureau of Reclamation agrees with the plans of the Army engineers in reference to the availability and sufficiency of water for irrigation of lands up in the Northwest arid and semiarid country.

Mr. MUNDT. I believe the Bureau of Reclamation is working on an over-all engineering report for that area which is due the 1st of May; so that it is not in position finally to agree or disagree, but it does raise the question. The Bureau will not be able to give the final answer until it completes its report about the 1st of May.

Mr. MANSFIELD of Montana. But it does appear there is a very strong difference of opinion about the quantity of these waters both for irrigation and for navigation and other domestic purposes.

Mr. MUNDT. At least the Bureau of Reclamation raises the question.

Mr. MURDOCK. Will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Arizona.

Mr. MURDOCK. May I say I am in favor of the Case amendment and shall support it as the bill is much better with it than without it. I prefer the amendment offered by the gentleman from Wyoming [Mr. BARRETT], but I think there is still a better amendment to be proposed by gentlemen from the Rocky Mountain area which is much better than either of those two.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. WHITE. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 additional minute in order to answer a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

Mr. WHITE. Will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Idaho.

Mr. WHITE. With reference to the amendment presently under consideration, which reads:

Page 21, after "Congress" strike out the semicolon and insert a colon and the following proviso: "Provided, That such improvement when accomplished shall not create any

demand on the water resources of the Missouri Basin over that now authorized by existing law."

I wonder if the gentleman would agree with my interpretation which is that the authorization by law is limited to projects constructed and now under construction?

Mr. MUNDT. I think that would be a fair interpretation of the legislation which, in turn, gives additional reason for my favoring the Barrett amendment over the amendment which the gentleman has just read.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I have such a high regard for the distinguished chairman and the members of the Committee on Rivers and Harbors that I am reluctant to interpose myself in this controversy; but, frankly, I am a little disturbed and I am a little confused. First, there seems to be a general unanimity of opinion as to the objective that the members of the committee and those from the Western States try to achieve. The difference then apparently is one of language.

Mr. Chairman, I can see no objection to the amendment offered by the gentleman from Wyoming [Mr. BARRETT]. It provides two things. It says that in the course of the construction and maintenance of this project, water for irrigation purposes, for livestock, and for human purposes shall not be adversely affected, and, secondly, that water for navigation shall be subordinate to water for irrigation, livestock, and other purposes. That is just ordinary sound common sense. Why worry about the depth of water, the width of the channel, and the number of barges that are going to carry commerce up and down this proposed project if you have not any commerce to carry?

The first and most important thing is the subsistence of the people out there and the water that is necessary for the purpose of irrigating their land so that feed, food, fiber, and other things may be produced in order that commerce may be generated, for, otherwise, your waterway will be of very little consequence. It will be only a barge canal at best. There will be towboats and barges to take the bulk and heavy commodities up and down, but you have to produce them first.

Mr. Chairman, I never had such an appreciation of what water means to the Western States until I got out there. My thinking heretofore on the subject may have been somewhat provincial. I make that confession openly here today. Too often in the Middle West and in the Eastern States we do not recognize that water is virtually as precious as gold; it means so much to the people of the Western States. It is a commodity that is on the tongue of every man constantly when they are thinking of the development of those great open spaces of the West.

I see no objection to the amendment offered by the gentleman from Wyoming [Mr. BARRETT]. The committee and everyone else is agreed on the main objective. Why not vote for the amendment, why not adopt it, why not say here

and now that the rights of irrigation and of subsistence and livestock shall not be adversely prejudiced and that navigation shall be subordinate to the No. 1 impulse in human life, which is self-preservation?

I have tried to resolve this confusion for myself, but it has been reasonably difficult; so I say to you frankly, out of what I regard as a better appreciation of the problems of that great section of the country, which is something of a new frontier today, that I want their apprehensions to be allayed and for that reason I shall vote for the amendment offered by the gentleman from Wyoming [Mr. BARRETT] because, if it fails, it may be that the amendment that our brethren will offer later, which they regard as a better amendment, will fail too. Then the case is lost. I submit to you in common sense that we support the amendment offered by the gentleman from Wyoming in which all of the Members from the Western States are interested.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANSFIELD of Texas. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wyoming [Mr. BARRETT] and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. MANSFIELD]?

There was no objection.

Mr. MANSFIELD of Texas. Mr. Chairman, some of our friends here are endeavoring to make a mountain out of a mole hill. The present law and the present proposal before the House is whether or not the Army engineers shall be permitted to insert some revetment work in the Missouri River nearly 2,000 miles below the Fort Peck Dam. That is all there is to it.

Now, here is the law and here is the language. It makes no difference about all this matter of discussing the engineering features. Here is the final report of the Chief of Engineers which was made the law. It covers everything else and wipes out all else ahead of it. This is the recommendation of the Chief of Engineers which comes adopted:

After full consideration of the report of the division engineer, the Board recommends the adoption of project for Missouri River between Sioux City and the mouth to provide for a channel of 9 feet depth and width not less than 300 feet to be obtained—

How?—

by revetment of banks, construction of permanent dikes to construct and stabilize the waterway, cut-offs to eliminate long bends, closing of minor channels, removal of snags, and dredging as required, at an estimated cost of \$6,000,000.

That is all there is to it. That is the proposal. When these gentlemen came before us and objected to it, we put a further provision in the bill by the amendment which I have here offered, by which we say that they shall not take any additional water over that authorized under existing law.

Mr. Chairman, they talk to me about irrigation. I have over 300,000 acres of land in my district under irrigation every

year. For more than 50 years I have been officially connected with all of that irrigation in the various positions I have held. I have been connected with it in my own personal capacity. Therefore I think I am about as good an authority as most any jack-leg lawyer you could secure from the crossroads section down there.

How can we from Sioux City to the mouth of the Missouri River take any water away from the people in the upper sections? It is impossible. We can only take that which the Lord sends down to us, and it will come there whether they use it for irrigation or not. Of that which they use for irrigation, they admit in some of their reports 40 percent goes back into the stream.

There is no ground for controversy here. They just fear something will take place in the future, I presume. In order to allay that fear, we have gone to the extent of providing that no additional water shall be taken from that basin.

To show you whether they can accomplish it, the present project existing there now is only a 6-foot project, and by placing these works on the lower section of the river, the evidence shows that they have gained 9 feet under a 6-foot project on three-fourths of the distance. There are just a few little sections where they do not have it. I am told that the district engineer from Omaha, who was down here a week or so ago, stated that now 91 percent of the stream has 9 feet.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Michigan.

Mr. DONDERO. I think we have a parallel case or a comparable case on the Great Lakes when the connecting channels were deepened. Compensatory works were established in order that the lake levels should not be reduced in this way. We are trying to do the same thing on the Missouri River.

Mr. MANSFIELD of Texas. Absolutely. The gentleman will remember when we had that matter under discussion here years ago it was held that the water being diverted at Chicago, if eliminated, would flow down the Niagara and St. Lawrence, where those people would be entitled to it for power purposes and for navigation.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I will yield briefly for a question.

Mr. ROWE. I am just curious to know if the Barrett amendment proposes to use water only for human and other necessary needs, what damage it will do, if any.

Mr. MANSFIELD of Texas. There is the situation. It takes this river out from under the jurisdiction of the War Department, separate and distinct from other navigation. It makes one law applicable to this river, which is the longest river in the world, while another law prevails as to all other navigable channels. It is something the railroads have been trying to do for years, long prior to the time some of you gentlemen were in Congress. I was approached on this thing years ago many times.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Nebraska for a question only.

Mr. CURTIS. In that regard are there other streams where the water is needed both for agricultural and domestic purposes?

Mr. MANSFIELD of Texas. You are taking up all of my time.

Mr. CURTIS. The gentleman has just said this asks for a special law as to the Missouri.

Mr. MANSFIELD of Texas. Yes.

Mr. CURTIS. On your lower Mississippi you have no demand for irrigation and for domestic uses.

Mr. MANSFIELD of Texas. Oh, please ask me a question.

Mr. CURTIS. I have.

Mr. MANSFIELD of Texas. I only yielded for a question.

Mr. CURTIS. I am waiting for a reply.

Mr. MANSFIELD of Texas. What is the question?

Mr. CURTIS. I asked the gentleman if there was any other stream where you had a conflict over the use of the water in this bill.

Mr. MANSFIELD of Texas. No, sir; none that I know of, I will say.

I call your attention to the fact that the Committee on Rivers and Harbors has been looking out for the interests of the people up there in the upper States when they were asleep themselves.

In the law we passed with reference to the Fort Peck Dam, for instance, we placed the power to be produced there under the Bureau of Reclamation. A law reported by this committee—and I, as chairman of that committee, reported it myself—provided that power should be installed there by the War Department whenever it was demanded by the Bureau of Reclamation or the Chief of the Bureau. We have already installed one power plant there, one unit, and the law provides that more shall be done by the Secretary of War whenever the Chief of the Bureau of Reclamation demands it and asks for it. They have never asked for any more than that one.

We now have approximately 15,000,000 acre-feet of water there, enough to water the whole State of Montana, for irrigation. They are not using a drop of it. They are not asking for any more installation of power, although it is there for them and has been for years.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANSFIELD of Montana. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. St. Joseph, Mo., is in my district. North Kansas City is in my district. I know of instances since the building of Fort Peck

Dam where, until water was released from that dam, the water of the Missouri River, as it passed by St. Joseph and Kansas City, was so low as to almost jeopardize our water system and our sewage system. Can the gentleman tell me whether or not this amendment is going to affect that situation?

Mr. MANSFIELD of Texas. It will not take any more water than they are taking now and will not take as much, for this reason. It was built for navigation. I reported the bill from this committee for that purpose. It was adopted for navigation, and the Bureau of Reclamation never put a cent into it. The War Department and the navigation interests have paid every cent of the cost, more than \$100,000,000, with \$5,400,000-odd for power only, free of cost to the Reclamation Bureau.

Mr. COLE of Missouri. Should they use this water for irrigation up there at the source or beyond Fort Peck, would not that divert water that we need in St. Joseph and Kansas City for our water supply and sewer system?

Mr. MANSFIELD of Texas. I will state to the gentleman he will not live long enough to see that take place.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. I am a little at a loss here because it seems to me we are arguing something that is illegal. Does the chairman know of any way by which this Congress can pass an act which would make navigation on a navigable river subordinate to other uses?

Mr. MANSFIELD of Texas. I will state that I do not know of any instance of that kind. In the case of the diversion of water at Chicago the Supreme Court prohibited the taking of any more water there than was necessary for navigation. That opinion was rendered by Chief Justice Taft, on the ground that the natural flow would serve the Great Lakes navigation and would serve the power interests at Niagara and down the St. Lawrence; that nature would send the water through to them and that nobody else had a right to take it away from them except for the purpose of navigation. That is the substance of the decision.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. Let me finish. Three-fourths of the water that is being diverted now is not for navigation on the Missouri River. It is for a condition brought about by the war. This chain of rocks in the Mississippi River below the mouth of the Missouri is the difficulty. They have hauled approximately 1,000 ships down there for use in the war. It was such a dangerous proposition that they had to release more water from Fort Peck than was necessary for navigation on the Missouri River. That condition of course will cease when this chain-of-rocks situation is taken care of, and there is a provision in this bill for that purpose. They have hauled approximately 1,000 new ships for overseas use in the war down over this dangerous place. It took additional water.

The Coast Guard has been sent up there by the Secretary of the Navy to help pilot those ships over this dangerous place, and even with this additional water, in January, I am informed by the Army and the Navy Departments, when ice interfered with the release of water from the Missouri, they obtained water temporarily through the Sanitary District of Chicago from Lake Michigan, for that purpose.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HOEVEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record at this point.

The CHAIRMAN. Is there objection? There was no objection.

Mr. HOEVEN. Mr. Chairman, H. R. 3961 is of interest to the people of the Eighth District of Iowa as it affects the proposed improvement of the Missouri River. It has been 6 years since a general river and harbor act was passed by the Congress. No appropriation of money is involved at this time but I do think that it is in order to anticipate our country's needs now so that a constructive program of river improvement may be inaugurated when the war is over. Our blueprints should be prepared at this time so that there may be no delay in the construction of the projects which this bill authorizes when they are considered necessary in the public interest.

Each and every one of the projects covered by the bill, including the Missouri River project, has been recommended by the Corps of Engineers of the War Department after exhaustive surveys and studies. In addition, they have all been carefully considered and approved by the Rivers and Harbors Committee.

The Missouri River project is of the highest importance to the people of the Missouri River Valley. It is not a flood-control plan or an irrigation plan or a power-development plan or a navigation plan but a plan of river development taking in all these fields in which a great river can be made of maximum service. I believe that there is enough actual water and potential water in the Missouri River Basin to meet the needs of every section along the river. Nor do I feel that any particular section of the country along the river has any right or priority on the rainfall which ultimately gets into the channels of the river. As long as the waters of the Missouri River are not controlled, water that should be available for irrigation in the dry seasons when it is needed on the land is going to continue to be wasted in disastrous floods during wet seasons.

If and when the Missouri River is controlled, the use of its water will be augmented for the purpose of irrigation as well as for the purposes of flood control, navigation, and power. Col. Lewis A. Pick, United States Army Corps of Engineers, who is perhaps as well acquainted with the Missouri River as any man in the country, takes the broad viewpoint of river development. In a report on the program and activities of the Missouri River States committee made by Colonel Pick at Sioux City, Iowa, last year, he said:

Flood control is only one phase of the development which, in my opinion, should take

place in this valley. We should construct multiple-purpose projects. I mean by multiple-purpose projects—store up the destructive water and make it work for us rather than to allow that enormous amount of energy to go down this valley every few years. We can then turn it out as we see it. We can use it for navigation. We can use it for irrigation. We can develop power and we can have space in those reservoirs to take care of this excessive flood flow. * * * We can irrigate large blocks of land. We can develop power.

Any program of Missouri River development will be a big program. It calls for the cooperation of all the people along the river. We must become Missouri River conscious instead of State conscious. This is necessary if we are going to be able to secure a sound development program based upon the safeguarding of the interests of all our people. I am convinced that the problems which are the common problems of this tremendous valley can be solved when there is a definite understanding thereof on the part of all the people who must participate in the final settlement of the problem.

Our ultimate objective is a full utilization of all the water of the Missouri River Basin. It is not a question of sectional interest. Development programs should be devised to provide the most equitable distribution of benefits among those concerned so far as consistent with sound economic and engineering procedure.

In my judgment it is highly desirable and highly necessary that the States along the Missouri River cooperate very closely in the development program. The Supreme Court of the United States in the so-called New River case, which was decided in January 1941, holds in fact that under the commercial clause of the Constitution the ownership of all waters of navigable streams rests with the United States Government. This decision indirectly serves notice on the States that if the development of the various river basins, such as the Missouri and others, is not accomplished in a reasonable length of time by the States themselves, the Federal Government may find a legal right and most certainly a moral right to step in and do what the States have long neglected.

The States have not taken advantage of their rights to divide equally the waters of interstate streams by entering into compact with neighboring States. Therefore, this is not the time to quibble or quarrel about the provisions of this bill. It is to the common interest of all the States along the Missouri River to cooperate in seeing that the over-all improvement of the Missouri becomes an actual fact.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Wyoming.

The question was taken; and on a division (demanded by Mr. BARRETT), there were—ayes 63, noes 59.

Mr. MANSFIELD of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. PETERSON of Georgia and Mr. BARRETT to act as tellers.

The Committee again divided; and the tellers reported—ayes 84, noes 98.

So the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 21, between lines 13 and 14, insert the following paragraph:

"Coasts of the Great Lakes; harbors of refuge for light-draft vessels; House Document No. 446, Seventy-eighth Congress."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 21, between lines 23 and 24, insert the following paragraph:

"Sturgeon Bay and Lake Michigan ship canal, Wisconsin; House Document No. 421, Seventy-eighth Congress."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 23, between lines 20 and 21, insert the following paragraph:

"Sackets Harbor, N. Y.; in accordance with the report of the Chief of Engineers dated January 6, 1944."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 26, line 11, after Congress", strike out the semicolon, insert a comma in lieu thereof, and add the following: "with such modifications as the Secretary of War may find advisable after consultation with the Secretary of the Interior and such other agencies as may be concerned."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 27, line 9, after the word "Congress" strike out the semicolon, insert a colon in lieu thereof, and add the following proviso: "Provided, That said dam shall be so constructed as to provide a pool elevation of 340 feet above sea level if a dam of that height is found to be feasible. In the design, construction, and operation of the Umatilla Dam adequate provision shall be made for the protection of anadromous fishes by affording free access to their natural spawning grounds or by other appropriate means. Studies and surveys necessary for fish protection shall be made by the Fish and Wildlife Service of the Department of the Interior, and designs for structures and facilities required for fish protection shall be prepared in cooperation with that agency. Funds appropriated for the de-

sign, construction, or operation of said dam shall be available for transfer to the Department of the Interior for the foregoing purposes."

The committee amendment was agreed to.

Mr. MANSFIELD of Texas. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MANSFIELD of Texas: Page 29, between lines 12 and 13, insert the following paragraph:

"Electric power and energy generated at projects authorized by this act and not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, and preference in the sale of such power and energy shall be given to public bodies and cooperatives, the rate schedule to become effective upon confirmation and approval by the Federal Power Commission. At dams or works authorized by this act which are suitable for the production of electric power and energy the Secretary of War shall provide, construct, operate, maintain, and improve such structures, machinery, equipment, facilities, and supplies as the Secretary of the Interior may deem necessary to develop power and energy for existing and potential markets and for the proper reception, handling, and dispatch of electric power and energy; and operations of all such machinery and facilities shall be scheduled in accordance with the requirements of the Secretary of the Interior so far as consistent with requirements for the use or control of water for the other purposes of said projects as may be determined by the Secretary of War. The Secretary of the Interior is authorized to construct and acquire such transmission lines and facilities and to enter into such contracts, agreements, and arrangements as he deems necessary to carry out the duties and responsibilities herein conferred upon him."

Mr. DONDERO. Mr. Chairman, I rise in opposition to the amendment.

Mr. MILLER of Connecticut. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Connecticut will state the point of order.

Mr. MILLER of Connecticut. Mr. Chairman, I make the point of order that the amendment is not germane to the bill. This bill deals with rivers and harbors projects and with the powers of the Secretary of War. This amendment attempts to legislate and define the powers of the Secretary of the Interior. It is not germane to the bill.

The CHAIRMAN. Does the gentleman from Texas [Mr. MANSFIELD] desire to be heard on the point of order?

Mr. MANSFIELD of Texas. Mr. Chairman, the purpose of this amendment is to carry out just what has been done in all laws pertaining to these other dams that have been constructed. The War Department operates the works in the river and delivers the power at the switchboard where we turn it over to the Secretary of the Interior for distribution and sale. The same law has been carried out at Fort Peck. It has been carried out at Bonneville. It has been carried out at Grand Coulee and, in fact, in all of the large dams that have been con-

structed under the War Department. The production of power is one of the chief purposes of this project, as much so as navigation. It is a general purpose dam. It is a tremendous dam. It will cost \$60,000,000 or \$70,000,000 when completed. We also have to install fish ladders for the fish to go up and spawn, and all that. It is all embraced in the report of the engineers.

The CHAIRMAN. The gentleman from Connecticut [Mr. MILLER] makes the point of order against the amendment, that it is not germane to the bill in that it deals with matter concerning the Department of the Interior. However, the bill deals entirely with the matter of the construction of dams and the distribution of water, and actually the generation and disposition of power on various rivers and various projects. It appears to the Chair it would be futile to create these dams and not also allow for the distribution of the power that is being generated at these dams, and that, therefore, the amendment is germane to the legislation before the Committee.

The Chair overrules the point of order and recognizes the gentleman from Michigan.

Mr. DONDERO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to address the Committee for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Chairman, the proposed amendment attempts to turn over to the Secretary of the Interior all of the power that will be generated by the dams included in the pending legislation. If we want to build up or create a czar over the empire of Federal power this is one way to do it. I am of the opinion that the power to be generated at these dams included in this bill should be placed with the War Department and the Army engineers. It is not true that all the power is turned over to the Secretary of the Interior, as claimed here this afternoon, because, in my own State of Michigan at the Soo, the power generated at the dams, excepting that amount which is used to operate the locks, is sold by the War Department or the Secretary of War to private enterprise. The Secretary of the Interior has nothing to do with it whatever. In the case cited by the chairman of the committee, at the Fort Peck Dam I understood him to say that the power is turned over to the Reclamation Bureau. I did not understand that the Secretary of the Interior directly had anything to do with the sale and distribution of the power generated at that dam. If Congress wishes meekly to surrender its prerogatives and fail in its duty to the public and the American people, this is the way to do it, by transferring all the power into the hands of one man who will become a power czar in this country. It does not make any difference who the Secretary of the Interior might be, Republican or Democrat, if the power is vested in him he can use it, and he can use it for political purposes.

It might be interesting for the House to know something of the personnel that deals with the distribution of power in the Department of the Interior. Many of the Members on this floor this afternoon will remember that sometime ago we removed from the pay roll of the Federal Government one individual by the name of Raushenbush, because of his communistic writings and his philosophies of government. That matter went over to another body and apparently he convinced that body that he did not mean what he said and he was left on the pay roll. Where is that individual today? He is in the Power Division of the Department of the Interior.

If the power or electric energy to be produced under the provisions of this bill is to be turned over to that Department, the chances are that this man will have something to say about the distribution of it.

I want you to listen to some of the theories and philosophies of this man. He wrote an article on the subject of gradual socialization. Here is what he has to say:

The students coming from the colleges today can do something more than be filled with wholesome and cleansing indignation. They can be of enormous use to the movement as Government officials, starting in small and definitely working on the reasonable hope that in the course of another 10 years we shall have Government control of a much more definite kind over our trusts, banks, and general industries; that there will be Government corporations operating and managing, not only the port of New York and Muscle Shoals, but many other developments. There is a chance here for young men not only to keep the liberal groups informed about the dirty work going on and on and times and ways to prevent it, but also to look forward to careers of usefulness in executive positions, making the Government control over industry more adequate, pioneering in a field of essential importance.

That is part of the philosophy of a man in the Power Division of the Department of the Interior to whom we are asked to turn over the power of these dams in the pending bill.

He says further:

Government officials in the bureaus and departments at Washington, Albany, Trenton, Harrisburg, and other State capitals are of great importance. The wages are not high. That is one reason why so many of them go over to private industries and favor private industries before they do go over to them—earn their jobs ahead of time. Yet the problem of Government officials is a major problem of immediate socialism. In Germany, after the revolution, the bureaucracy was nationalist and nearly sabotaged the republican government, until it had been replaced. One good man with his eyes, ears, and wits about him, inside the department—whether it be the Interior, where the oil scandal started and the Boulder Dam bill received most active support, or the Treasury, where the taxation scandals breed and the Government tax policies originate—can do more to perfect the technique of control over industry than a hundred men outside.

I think it would be wiser and better for the people of the United States if we placed the distribution of the power to be produced by the provisions of this bill under the wise discretion of the Army engineers, who have done a magnificent

job wherever their control has been exercised.

When this amendment came before our committee in executive session, I offered the suggestion that this power should not be distributed at the lowest possible price, but only at the lowest possible price consistent with good business usages. That suggestion was adopted and is in the amendment. But still I think it is a mistake to turn all this power over to one man, the Secretary of the Interior, and build up a power empire in the United States.

I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DONDERO] has expired.

Mr. MANSFIELD of Texas. Mr. Chairman, I desire to be heard in behalf of the amendment.

The work proposed on these dams is all on the Columbia River. We now have the Bonneville Dam there, one of the largest in the world, costing about \$80,000,000, with tremendous power. The Umatilla will be a mate to it; then the three or four dams authorized on the Snake River, a tributary.

Bonneville power is already under the Secretary of the Interior. It was adopted in the river and harbor bill of 1935. It was put in the river and harbor bill as a Senate amendment by Senator JOHNSON of California. The gentleman from California [Mr. CARTER], and myself were conferees on that bill, I believe the only members of the present committee who were members of the committee at that time.

The Secretary of the Interior wanted to have charge of the entire works in the river that produced the power. We would not stand for that. We wanted the Secretary of War to have charge of everything in that great navigable stream, but we finally compromised by saying that the power would be delivered at the switchboard by the Secretary of War, and from that point it would be turned over to the Secretary of the Interior to inaugurate transmission lines, and to sell the power to the cities and districts which were organized under the law for the purpose of using it. That policy has been carried out at all projects we have adopted since that time. Why do we want to make a change from that, unless you change all of them? Let us have uniformity.

Let us keep all of the navigable propositions under the War Department and all of our reclamation projects under the Interior Department. I like to try to be consistent in these matters if I can. I am no defender of the present Secretary of the Interior. I have had controversies with him that many of you gentlemen do not know anything about, and some of them have not been the most pleasant controversies either. But he may not be Secretary of the Interior always. I presume you gentlemen hope to make a change in the program at some distant future time—how distant in the future, I do not know, of course. But aside from that, let us be consistent. Let us have it all alike. Let us have all

the power distribution under one department of the Government and all of our navigation projects under one department. I like to have uniformity. I like to have it so that people can know what they can depend on. I would like to have the same kind of a ruling from the Supreme Court. Whether their laws and their decisions are good or bad, if they will just let it stand and if they will stick to them so that the people will know it, it would be better than if we are here today and there tomorrow.

Mr. WHITE. Will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. WHITE. Is not the power generated at Grand Coulee and Bonneville one of the strongest defenders we have, in building our ships and airplanes and smelting aluminum ore and supplying our war needs, all handled by the Secretary of the Interior?

Mr. MANSFIELD of Texas. Yes. That is the case, as I understand it. The work of the War Department ceases when they produce the power and deliver it at the switchboard on top of the river bank.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. MANSFIELD of Texas. I yield to my good friend from Michigan.

Mr. DONDERO. But all of the power is not in the Department of the Interior; some of it is operated by the War Department.

Mr. MANSFIELD of Texas. I do not know of any.

Mr. DONDERO. I call the gentleman's attention to Sault Ste. Marie, Mich. There the power is generated at Federal dams, and there the engineers of the War Department have complete control over such power as they do not need for the operation of the locks. They sell it to private industries.

Mr. MANSFIELD of Texas. That is true; I believe the gentleman is correct, but it is not the case with any of the power projects we have been building in these rivers.

Mr. ANGELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oregon is recognized for 5 minutes.

Mr. PETERSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield.

Mr. PETERSON of Georgia. Mr. Chairman, I wonder if we cannot reach an agreement as to a limitation of time on debate on this amendment?

I move that all debate on this amendment close in 5 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from Oregon may proceed.

Mr. ANGELL. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I have all deference for my good friend the gentleman from Michigan [Mr. DONDERO], a member of my committee. We usually see alike on problems, and I think I look down the same alley with him with reference to crackpots in various Government departments, but I remind my good friend that if he is not going to lodge power in this Department because there is a crackpot

in it, he will not be able to go to any department perhaps and might not be able even to get into the Supreme Court sometime.

Mr. CASE. Mr. Chairman, will the gentleman yield for a question?

Mr. ANGELL. If it is brief; my time is short.

Mr. CASE. Under the language of the amendment does the gentleman believe that any agency within a State, any irrigation district, or other association, or any State agency could ever purchase or get the power generated at a Federal dam to distribute the power itself?

Mr. ANGELL. Oh, yes; they can do that under this very amendment, which follows the Bonneville Act, and they are doing that now under the Bonneville Administration.

Mr. CASE. How would the gentleman interpret this language:

The electric power generated at projects authorized by this act and not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit, dispose of—

And so forth. And this further language:

And preference in the sale of such power and energy shall be given to public bodies and cooperatives?

Mr. ANGELL. Public bodies are the very bodies the gentleman has already mentioned. They have the first opportunity.

Mr. CASE. That would be retail.

Mr. ANGELL. I will explain that briefly later if time permits. I cannot yield further; I have only 5 minutes.

Mr. CASE. Under the language of the amendment, how would the power generated under these authorizations contribute to the taxes or to the reduction of costs for water users on irrigation projects?

Mr. ANGELL. I will explain that if I have time. I will say, in passing, taxes are provided for under the existing law.

Mr. Chairman, this amendment does not represent any change from the present program we are following. Practically all, or the greater part of the power that will be developed under these projects is going to be developed on the Columbia River and the Snake River by the Umatilla Dam and four dams on the Snake River. They are all within the Bonneville territory. The Bonneville power is delivered to the Secretary of the Interior and the bus bar, and he is now marketing the power which is produced at Bonneville at Grand Coulee, not at retail, however. This amendment follows language of existing law that will permit the power generated by these new projects to be marketed under the same administration, under the same rules and regulations in force now. That, Mr. Chairman, is the purpose of it, just as the chairman of our committee said, to unify control instead of having one plan here and another plan there. The sole purpose of this is to provide marketing facilities for power largely on the Columbia River and the Snake, because there is where the big power is going to be generated and will be offered for sale. It is being marketed very wisely now by

the Secretary of the Interior. I have not heard any complaint with reference to any of the power distribution there. Bonneville is in my district, as you know. Answering my good friend the gentleman from South Dakota [Mr. CASE], in the marketing of power in that area, public bodies, States, counties, municipalities, public-utility districts, public organizations under the language of the bill take precedence, and they are supplied first, and the Bonneville Power Administration is not retailing power. It markets the power through existing agencies. It is not going into the power business. The Secretary of War turns the power over at the bus bar to the Bonneville Power Administration, which is the Secretary of the Interior, which sells it to these distributing concerns. Some of them are private concerns, private utilities, but the power will be marketed by private industry and these local public institutions like P. U. D.'s, counties, municipalities, and State organizations.

Mr. CASE rose.

The CHAIRMAN. Does the gentleman from Oregon yield to the gentleman from South Dakota?

Mr. ANGELL. I am sorry; I have not time.

The CHAIRMAN. The gentleman declines to yield.

Mr. ANGELL. In my judgment, therefore, it would certainly be unwise to break up the marketing facilities in this great area of the Columbia River Basin, which you will do if you do not adopt this amendment.

Mr. MANSFIELD of Texas. And they already have the organization.

Mr. ANGELL. It already has the organization, it already has the staff, it already has everything necessary to market this additional power and it is doing a good job. Why take it away from the existing sales organization because, as my friend says, there may be a crackpot in the organization? There are crackpots in every organization, maybe right here; who knows?

The CHAIRMAN. The time of the gentleman from Oregon has expired; all time has expired.

The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. PETERSON of Georgia and Mr. ANGELL) there were—ayes 55, noes 48.

Mr. DONDERO. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. DONDERO and Mr. PETERSON of Georgia.

The Committee again divided; and the tellers reported that there were—ayes 74, noes 102.

So the amendment was rejected.

Mr. CARTER. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

Mr. HARE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARE. Mr. Chairman, did I understand that on yesterday there was

an agreement reached that the committee amendments would first be offered?

The CHAIRMAN. The gentleman is quite correct.

Mr. HARE. Mr. Chairman, would it be proper to ask unanimous consent that subsequent amendments from now on be taken up by page?

The CHAIRMAN. The ordinary rules of the House provide that members of the committee be recognized first, then other Members are recognized immediately following. That will be the method which the Chair will pursue and, for that reason, the Chair will recognize the gentleman from California [Mr. CARTER] at this time to offer his amendment.

The Clerk will report the amendment offered by the gentleman from California [Mr. CARTER].

The Clerk read as follows:

Amendment offered by Mr. CARTER: On page 2, line 16, after the word "region", place a period and strike out the remainder of the paragraph.

Mr. CARTER. Mr. Chairman, I may say for the benefit of those who have not read this bill that if they will turn to page 2, line 16, the amendment begins immediately after the word "region" and strikes out this language:

And the Chief of Engineers is authorized in his discretion to construct powerhouses and install power machinery and appurtenances for the development of hydroelectric power at any dam heretofore or hereafter authorized by any act of Congress.

There are some other provisions that I am going to offer amendments to strike out, but before passing on, I call your attention to the fact that this is a most unusual grant of power. It grants that power to the Chief of Engineers in connection with any dams that he may have constructed or in connection with any dam hereafter authorized by the Congress of the United States. That in itself should be sufficient for striking out the entire paragraph.

But I want to read on further the matter that I propose to strike out:

And provided further, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made, the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way.

Let me call your attention to the fact that by this bill, which is not an appropriation bill, the Chief of Engineers is authorized to make any expenditures and, so far as the purposes of this bill are concerned, those expenditures are unlimited in amount so long as they go for the purposes thereafter enumerated.

These are some of the things that the Chief of Engineers is authorized to do:

Readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations.

Mr. Chairman, in the progress of this work and in the prosecution of this work it may be necessary to do some of these things at times and I have voted to have

them done, but I am unwilling, and I believe this House is unwilling, to give any person blanket authority to do all of those things to an unlimited degree.

Let the Congress of the United States retain the power, and when it becomes necessary to move these towns, to change the highways, to realine the railroads, and so forth, let the bureau or department that is concerned come back here, make the proper representation to the Congress of the United States, and let the Congress then grant the authority to do the specific thing involved. That is my attitude in regard to this bill and I may say that it is an attitude shared by the distinguished chairman of this committee. He has so expressed himself on the floor of this House on various occasions.

Mr. MANSFIELD of Texas. And in the committee, too.

Mr. CARTER. The gentleman has told me so privately.

Mr. Chairman, I believe that this entire section as I have indicated should be stricken from the bill. I have no desire to impede any of this work but I do have a very strong desire to see that it is carried out according to the plans that this Congress may set up rather than according to plans which some bureaucrat may get up and carry through if we grant him such blanket authority as is contained in this resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Texas.

Mr. MANSFIELD of Texas. Under the amendment offered by the gentleman from California, would you still retain the installation of pen stocks?

Mr. CARTER. Yes. I want to say to the distinguished chairman that I am in favor of the installation of pen stocks in every dam that this Government builds, whether it be for flood control, navigation, reclamation, or whatever the purpose is, because some day, even though we may not need it at the present time, we might need it, and then the pen stock is there.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Missouri.

Mr. COCHRAN. In the last Congress an amendment I offered was adopted that prevented an increase in an authorization that would enable power dams to be constructed on the White River in southwest Missouri and Arkansas. If this language remains in the bill, would the Army engineers have a right to go ahead with that?

Mr. CARTER. They certainly would. This being later in enactment would repeal the gentleman's amendment.

Mr. COCHRAN. The House adopted my amendment.

Mr. CARTER. The House adopted the gentleman's amendment, but this is in direct conflict with it, having been adopted at a later time.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Mississippi.

Mr. RANKIN. I am sure the gentleman has misunderstood the gentleman from Missouri. The gentleman from Missouri struck out an amendment providing for building the dam.

Mr. COCHRAN. Oh, no. The dam is already built. It has pen stocks in it. Right at this time it is being built and it has pen stocks in it.

Mr. RANKIN. The water just runs through the pen stocks.

Mr. CARTER. I think there would not be any doubt but that, notwithstanding the gentleman's amendment, the Chief of Engineers, under this bill as it stands, without my amendment if adopted, would be authorized to go ahead with the construction of that.

Mr. CASE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CASE. Mr. Chairman, I make the point of order that a portion of the language the gentleman proposes to have stricken from the bill constitutes an appropriation and cannot be reported by the Committee on Rivers and Harbors. It should be stricken from the bill.

I call attention to clause 4, rule 21, which states:

No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

I invite the attention of the Chair to the following language on page 2 of the bill:

And provided further, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made, the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations.

The Chair certainly will agree with me that in all the precedents of the House concerning the making of appropriations, an authorization to make expenditures constitutes an appropriation, and the language here, "and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns," and so forth,

including "the construction of foundations," constitutes an appropriation. Therefore, I make the point of order that the language beginning with "And provided further," in line 20 on page 2, and concluding with the word "foundations," in line 4, page 3, constitutes an appropriation and is not in order in this bill.

Mr. RANKIN. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Mississippi on the point of order.

Mr. RANKIN. The gentleman from South Dakota is entirely wrong. This is not an appropriation, and his own reading of this language shows it is not an appropriation, but merely an authorization.

Let us read the language again that he objects to:

And provided further, That in any case where the total authorization for a project heretofore or hereafter authorized by Congress is not sufficient to complete plans that may have been made, the Chief of Engineers is authorized in his discretion to plan and make expenditures on preparations for the project, such as the purchase of lands, easements, and rights of way; readjustments of roads, railroads—

And so forth. That does not mean that he can spend public money without an appropriation. This merely authorizes him to do those things, and is not an appropriation. If it were an appropriation, it would state the amount appropriated. It is not an appropriation; it is merely an authorization. The point of order is not well taken.

The CHAIRMAN. The Chair might inquire of the gentleman from South Dakota as to the specific language he refers to in lines 24 and 25 where the expression "and make expenditures on preparations," and so on, is used.

The Chair would like to inquire of the gentleman from South Dakota from what funds these expenditures would come. There are no funds actually provided in the bill pending before the Committee. In other words, it appears to the Chairman an appropriation would have to be made apart from this bill before the funds referred to here would be available to the Chief of Engineers in order that he might make such expenditures as are set forth here.

Mr. CASE. If I may I would call the Chair's attention to the fact that lump-sum appropriations for construction of river and harbor projects as well as flood control are given to the Chief of Engineers in the annual appropriation bill made for the civil functions of the War Department. There is also a special fund carried for the preparation of plans and specifications and things of that sort. The general funds ordinarily expended on projects that are listed in a break-down submitted to the committee at that time. Under the language here, "authorized to make expenditures," and "in his discretion" the Chief of Engineers could clearly use that fund to make expenditures for these various purposes.

Mr. RANKIN. It would have to be appropriated.

Mr. CASE. This, of course, would not be in harmony with the justification made for this appropriation at the time the request was made, because they are submitted on the basis of a list submitted to the committee at that time, but the language proposed here would let the Chief of Engineers expend the money in his discretion beyond existing authorizations.

The CHAIRMAN. The gentleman from South Dakota in making the point of order refers to this language regarding the making of expenditures, and refers to other legislation. It appears to the Chair that the Chief of Engineers would not have any authority to expend any of that money except for those purposes for which it was specifically appropriated, and that there is actually no appropriation being made under the terms of this legislation.

As the result of that, the Chair is of the opinion that the language here does not constitute an appropriation and that, therefore, the point of order of the gentleman is not well taken. The Chair overrules the point of order.

Mr. MANSFIELD of Texas. However, that does not affect the motion to strike the language out.

The CHAIRMAN. The amendment is still pending before the Committee.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from California [Mr. CARTER].

Mr. Chairman, a few moments ago we adopted an amendment offered by the committee that took out those words, "authorized by any act of Congress," and inserted "constructed and maintained under the direction of the Secretary of War and supervision of the Chief of Engineers."

This language, which the Carter amendment would eliminate, was specifically requested by General Reybold, the Chief of Army Engineers. He came before the Committee on Rivers and Harbors and asked for it.

A moment ago you took the Department of the Interior out—away from the bus bar. Now you propose to take the Army engineers away. You propose to build pen stocks for the water to flow through, but you are going to deny the Government the right to develop this power to be used for the benefit of the American people. In my opinion, General Reybold was entirely correct. I supported him before the committee and I supported him when attempts were made to strike these amendments out, even after the bill was developed, and I am opposed to the amendment offered by the gentleman from California [Mr. CARTER] now.

We built these dams. You have already restricted them to the dams that are constructed and maintained under the direction of the Secretary of War, and the supervision of the Army engineers. You now come along with another restriction and propose to deprive them of the right of developing this power that you have already provided pen stocks for, and let this water go to waste. Probably some of you want to turn it over to the Power

Trust, as you did at Muscle Shoals 15 years ago.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. MANSFIELD of Texas. Is it not a fact that all of these power dams that have been installed and in operation were constructed without this language?

Mr. RANKIN. I understand, and we got into one miserable mess, on account of it.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. And I will show you what it was. We had the same situation at Muscle Shoals, and the power companies—the Power Trust, if you please—was buying that power for less than 2 mills a kilowatt-hour, and selling it in sight of the dam for 10 cents per kilowatt-hour. What you are doing here is taking the hands of the Army engineers off these projects, and inviting the Power Trust to step up and plunder the American people on the power produced at these dams, built at Government expense. I yield to the gentleman from California.

Mr. CARTER. These dams have been built in the past without this language, and is there any reason why they cannot be built in the future?

Mr. RANKIN. Yes; and I will say to the gentleman from California that you have this battle going on right now, or a similar battle, at the Shasta Dam in California, and if you deny the Army engineers this authority that General Reybold has asked for, that he came before the committee and sustained his position on, then you simply paralyze this Government so far as the generation and use of the hydroelectric power is concerned, power produced at dams built at Government expense. The electricity in these streams belongs to the American people. Chief Justice Hughes so held in the Ashwander case, and I am not willing to drive the Army engineers out and say to these racketeers who were plundering us a few years ago, "Come in and take the people's power and charge them whatever you please," because that is what they were doing, and that is what they will be doing again whenever you take the hands of the Army engineers off these projects, and do not permit them to build the facilities to generate this power.

Mr. DONDERO. Is it not a fact that the question is whether the Army engineers shall come back to Congress for this authority?

Mr. RANKIN. No, it is not; and every time they came and asked for it, the gentleman from Michigan and the gentleman from California would both be opposing them. This is a battle whether or not the American people will enjoy the benefits of this power, or whether it will be gathered in by the utility monopoly.

Mr. PETERSON of Georgia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 20 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MILLER of Connecticut. Mr. Chairman, I am very much in favor of the amendment offered by the gentleman

from California [Mr. CARTER]. I cannot see anything in the language that he proposes to strike out that will interfere with any legitimate operation of the Army engineers, but I do see the possibility, in fact, the probability, that if that language stays in the bill, and at some future time this Congress should authorize the building of a dam across the Connecticut River, in my district, this language, and nobody will deny it I am sure, would give the Army engineers the right, without coming back to Congress, without further authority, to move towns, cemeteries, to move State highways, and to move railroads. Beyond that, I see no further need of argument. I yield back the remainder of my time.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. Yes.

Mr. PLUMLEY. The gentleman is a layman, but profound in his knowledge of the law as I have ascertained by frequent conferences with him. Will he tell me if he can find any authority in the law anywhere for the right of Congress to undertake to delegate its discretion to anybody?

Mr. MILLER of Connecticut. There is none in the law of the land or common sense.

The remarks of the gentleman from Mississippi [Mr. RANKIN] are in nowise related to the amendment offered by the gentleman from California. All the speeches in the world attacking the so-called Power Trusts will not change the undisputable fact that the language which the gentleman from California seeks to strike from this bill would delegate to the Chief of the Army Engineers both discretion and decisions that should be made by the Congress and by nobody else. It is pretty far reaching to propose that without the approval of Congress, the Army engineer may "make expenditures on preparations for projects such as the purchase of land, easements and rights-of-way; readjustments of roads, railroads, and other utilities; removal of towns, cemeteries, and dwellings from reservoir sites; and the construction of foundations." I doubt if there are 10 Members of the House who would record themselves in favor of such a delegation of power to any agency of the Government.

Mr. KEEFE. Mr. Chairman, I take this time only that I may seek some light in view of the statements made by the distinguished gentleman from Mississippi [Mr. RANKIN]. As I understand it, the amendment offered by the gentleman from California [Mr. CARTER] proposes to strike out, beginning on line 16, page 2, after the word "region" all the rest of this paragraph. I am somewhat confused, because the gentleman from South Dakota [Mr. CASE] raised a point of order against the proviso appearing in line 20 and thereafter, and his point of order was overruled, because it was stated by the Chair that there is no appropriation contained in this bill that the Chief of Engineers could or would expend for any of the purposes set forth in this language that is proposed to be stricken out by the amendment offered by the gen-

tleman from California. If the Chief of Engineers has not any funds and there are no funds available to him that he can expend for any of these purposes, which you are delegating to him here, in the name of conscience why is this delegation of authority contained in this bill? Will the gentleman answer that?

Mr. RANKIN. I will answer that. It is just as all authorizations are made by legislation and when it comes for appropriations for this purpose, they will come later.

Mr. KEEFE. I could not for the life of me see why this Congress should, in a statement of delegation of power, transfer to the Chief of Army Engineers the right to make and determine this fundamental right and the fundamental duty of the Congress of the United States.

This is the most amazing proposal that I have seen advocated in any bill presented to this Congress since I have been a Member. You say in substance in this proposal, we are going to give the Chief of Engineers the right to his discretion to plan and to make expenditures, preparations for the projects, such as the purchase of land, easements, rights-of-way, readjustments, removal of towns, cemeteries, railroads, and everything else—projects for which this Congress has not yet appropriated any money.

Mr. POULSON. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. And yet when the appropriation comes in we will then find, no doubt, that by reason of this action proposed in this bill, we have tied our hands to have any voice in the way in which the appropriation shall be expended. We have got the cart before the horse, and we are doing the very thing that this Congress ought not to do. I yield.

Mr. POULSON. In reply to the gentleman from Mississippi [Mr. RANKIN] stating it would be necessary to come in and get an appropriation, is it not true that the War Department has not paid much attention to appropriations, according to the construction of the Pentagon Building?

Mr. KEEFE. I think the gentleman is absolutely right. With all due respect to the decision of the Chair, I think there are always funds available that the War Department seems to be able to put its hands on which it can spend under the language of this bill without further action of the Congress.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. MAY. I would like to answer the gentleman's question propounded a while ago by saying that the Congress has gotten into such a habit of delegating its authority that it just wants to keep it up.

Mr. KEEFE. All I want to say to the Members of this House is if you pass this bill in its present form then you ought to have to answer to your constituents upon this delegation of power and abject surrender by the Congress, not only of its power, but of its plain duty in the future to scrutinize each and every one of these projects. I feel sure that the

Congress of the United States at this late date will not flaunt before the people of this country such an amazing proposal as is contained in this amendment.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. ROWE. Mr. Chairman, I want to add this thought to the discussion—namely, that by the amendment proposed here and in the delegation of power so proposed—we delegate the planning of any future power project in any dam heretofore built or which may be hereafter built; and if that planning is developed by the Army engineers and the project planned is far enough along, as the previous speaker suggested, our hands are substantially tied, and we are presented with only one consideration, and that is whether or not we shall appropriate the money for it. It seems to me if I came here charged with one responsibility it was that I should scrutinize, from the very beginning, the possibilities of the expenditures of the taxpayers' money. In order to do that intelligently, if I am so charged with that responsibility from the section of the country which I represent, it is to consider the plans as well as the expenditure. When the Army engineers or anyone else to whom we may suggest delegating powers brings a plan back before the House that they are going to do something at great cost to the country, I want to sit down and consider with the committee charged with the responsibility of considering that matter as to whether or not it is advisable. If it is advisable we ought to, at that time, consider the development of the potential hydropower of the country. No one appreciates better than I do the zeal with which the gentleman from Mississippi approaches a subject such as this. But I do want to consider if the Army is going to build a power project at some place where, in the estimation of the representatives here of the taxpayers, it is not necessary, I want to exercise my privilege and right at that time to say, "No."

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. ROWE. I yield.

Mr. CASE. I should like, if I may, to point out, in line with what the gentleman has explained, that under the interpretation of the Chair that this language does not constitute an appropriation, that unless the language is now stricken from the bill we will be running into conflict with the well-established principles of the rulings and previous decisions on this matter. The language proposes to authorize the Chief of Engineers to exceed project authorizations and expend funds for the construction of foundations. Under the established Rules of the House, when a work is once started and is in progress, then no further authorization is needed to make appropriations in order to complete that project. Consequently, unless this amendment prevails to strike this language from the bill, there will exist here an interpretation that the Chief of Engineers can use money available to him out of his plans funds or out of his construction funds

for the construction of foundations which exceed what is authorized by law. Then if that is done the House will be confronted by the fact that subsequent appropriations to complete that work will be in order and will not be subject to a point of order and will not require further authorization.

Mr. ROWE. I personally choose to believe that there is a great deal of substance in what the gentleman says. But in addition to that I would like to think of it in this way, that the engineer and the other gentlemen who are charged with this delegated responsibility have found it rather easy in the past decade.

I know we did not intervene, that is, we the people's representatives here in studying the question. I do not blame them for it especially. But it is that safeguard by which we charge ourselves with the responsibility to carefully go into all the things that are proposed. This is the policy that has measured the pathway by which we have progressed, in my opinion. We can get out of balance if we charge the policy to a certain few. They get engineering theory and engineering opinion and develop things out of balance. I think when you get a cross section of expression as you do from the Representatives of the House, it is probably a little safer than in any other way as has been proven by practice.

Mr. MANSFIELD of Texas. Mr. Chairman, I do not like to cross bridges until we get to them. I have lived long enough to try to cross as few of them as I possibly can. This language, as I understand it, gives to the Chief of Engineers authority to legislate and bind us in advance to approve that legislation, although it is sight unseen. It is not limited to the projects in this bill. It is general. I do not believe we ought to confer such authority upon anybody.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. COCHRAN. There is a flood-control dam in progress at the present time down in Arkansas. The pen stocks are being put in there. Under the terms of that language, the Chief of Engineers would have the power to turn that into a power dam rather than a flood-control dam; is that not true?

Mr. MANSFIELD of Texas. I believe so.

Mr. COCHRAN. Then could he not use part of the money that is appropriated in a lump sum for various projects which he thinks are most needed at the moment?

Mr. MANSFIELD of Texas. Under the law, appropriations are made to him in a lump sum and he has the right to allocate them where, in his judgment, it is necessary for commerce and navigation.

Mr. COCHRAN. I have great confidence in the present Chief of Engineers.

Mr. MANSFIELD of Texas. There is no person living who has more confidence in the engineers than I have, and my whole record in Congress of 27 years will bear that out, without exception. It is the principle here involved that concerns me. I just do not believe in con-

ferring that authority upon myself and Lord knows I trust myself as far as I will trust most anybody else.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. PLUMLEY. The gentleman has gone so far that I think he ought to say he knows as well as I do that you cannot delegate the authority of Congress to legislate to the Chief of Engineers and neither can Congress delegate its power for the use of discretion to anybody.

Mr. MANSFIELD of Texas. Even if it could I do not like to see it done. I do not believe in it.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. ANGELL. Is it not true also under the interpretation put on this, they will have to come to Congress for an appropriation anyway, and if we do nothing they will have to come back too for an authorization?

Mr. MANSFIELD of Texas. Yes.

Mr. ANGELL. I agree that we ought not to delegate any more powers to individual bureaus.

Mr. MANSFIELD of Texas. I suppose that the Members all understand the situation. We still retain the pen stocks. The purpose of that is this: If Congress should hereafter decide to install power at these dams when it is not authorized in the original acts, the pen stocks will save tremendous costs. Otherwise, if you would have power, you will have to start from the beginning. That provision is still retained in the bill. That has been in the former bills. Why do we want to go further? We have produced power at many of them by additional legislation and we can do it for this, if it becomes necessary, and when it becomes necessary, not before. I think we ought to begin to draw the line and keep our feet on the ground as nearly as we can.

Mr. RANDOLPH. Will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. RANDOLPH. The question involved in this amendment in accordance with the thought of the chairman of this committee is not whether we are for or against the distribution of power by hydroelectric dams, but the principle of the delegation of authority by this Congress to a project which may not have been approved? This Congress, which has regained the respect of the American people in assuming its proper legislative role, can continue its good record by opposing this delegation of authority. I shall vote for the Carter amendment.

Mr. MANSFIELD of Texas. The gentleman has my thought entirely.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. MURDOCK. Do I understand that the present law provides for the installation of pen stocks in all such dams for flood control? May all such dams later be used, if feasible, for power production?

Mr. MANSFIELD of Texas. They have been inserted, as I understand, in

all flood-control bills and we have inserted them in river-and-harbor bills.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. WHITTINGTON. Under the language of this amendment, wherever it is recommended by the Federal Power Commission, as well as the Chief of Engineers?

Mr. MANSFIELD of Texas. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIRKSEN. Mr. Chairman, if there is any time remaining I would like to claim it.

The CHAIRMAN. The gentleman from Illinois is recognized for 3 minutes.

Mr. DIRKSEN. Mr. Chairman, I do not know what scholar it was who long ago described "discretion" as the arbitrary exercise of power by a tyrant.

I do not mean to imply that the Chief of Engineers would be tyrannical in the application of this power, but let me ask you this question: Would you delegate to him now by your vote the authority and discretion to build a powerhouse or more powerhouses of unknown capacity in unknown places for unknown amounts? That is what this says. Would you give him discretion to buy and to install an undefined amount of power machinery for installation at an unascertained place? For, after all, this bill says, "heretofore or hereafter authorized." That makes it permanent. Would you confer upon him a discretion to purchase and to install appurtenances, whatever they are, undefined as to this bill, undefined as to amount and quantity and capacity, for installation in an unascertained place at some future time? Well, I have a different idea about my legislative responsibilities and I do not propose to delegate that kind of power to be exercised in the discretion of one man at some time in the future, for an unascertained amount which becomes a charge on the Public Treasury. We are still the stewards of the public purse.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. CARTER].

The amendment was agreed to.

Mr. DONDERO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DONDERO: On page 17, strike out all of lines 10 to 14, inclusive.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Chairman, this amendment is designed to strike out what is known as the Tombigbee River project. It amounts to \$66,000,000. It is not a new project to this House. It was here 5 years ago, and 5 years ago this House,

on a record vote, rejected this project by a vote of 204 to 160.

If you will turn to page 17 of the bill you will notice that this project is submitted to the House in a report of the Army engineers No. 269. It is the same report that was filed 5 years ago. There is no other report.

I spoke on this matter yesterday and called the attention of the House and gave figures as to why I was opposed to this project and why I think this House should again reject it.

We all have faith and confidence in the Army engineers and the Chief of Engineers, and it is because of that confidence in the Chief of Engineers and his expressed opinions in relation to this project that I opposed it 5 years ago and I am opposing it today for the same reason.

The Board of Army Engineers adopted this project and said it was feasible. The Chief of Engineers in his letter and in his report, used language that ought to raise a doubt in the minds of any Member of this body. He did not endorse this project. Before I quote him, I want to cite some figures to you.

It is claimed this project will save \$4,143,000 a year to the people, and that the carrying charges will be \$3,561,000. If those figures are correct then this project is economically sound. But in the figure of \$4,143,000 of savings are four items used to justify this project economically, which have never been used to justify any other project that has come before this body during my more than 11 years of service in this House. Here they are. They use \$1,000,000 for traffic diverted from the Mississippi River. If you take that million dollars away from the Mississippi River you are simply robbing Peter to pay Paul, as I said yesterday, because that \$1,000,000 undoubtedly was used in order to justify the improvement on the Mississippi River. That is one item. The Chief of Engineers takes that item to task and says "I doubt the wisdom of using the diversion of traffic from one river to another river and claiming it as an item of savings to the people."

The second item is an increase in the value of real estate of \$275,000. Remember, these items are not chargeable in 1 year. They are to be credited every year, in order to justify this project. Did you ever hear of Uncle Sam getting the benefit of an increase in real estate for a Federal project? No one will be benefited by that except the people who own the real estate along that river. That item is questioned by the Chief of Engineers.

The third item is \$100,000 for recreational value. Who can measure recreational values in dollars and cents? I have never found it defined in terms of dollars and cents on any other project. That item is also questioned by the Chief of Engineers.

The fourth item is \$600,000 annually for national defense. If you can apply \$600,000 a year as national defense on this project, how many million dollars a year could you apply to such national defense projects as the Brooklyn Navy

Yard, the Charleston Navy Yard, or the navy yards on the Pacific Coast?

They simply cannot be measured by money and, therefore, those four items are questioned by the Chief of Army Engineers. He doubts the wisdom of using them. If you take those four items which total \$1,975,000 away from the savings of \$4,143,000 it leaves a net savings of \$2,168,000 against an annual carrying charge of \$3,561,000, resulting in a loss, not a gain, of \$1,393,000 annually. That is what it would cost the people every year if you adopt this project. Therefore this project is economically unsound and should not be adopted. What does the Chief say about these items? I am quoting from the only report before this House. In his letter dated February 27, 1939, the Chief of Army Engineers has this to say:

Under the estimate a saving of \$1,000,000 to up-bound traffic on the Mississippi River results from a thorough study and I do not doubt that such a saving would result, but I doubt the wisdom of dependence upon diversion of any considerable part of the Mississippi River traffic to justify this new project.

As to all four items I have cited, this is what the Chief of Army Engineers said:

All these intangible or indirect benefits must be considered in addition to the direct savings in transportation costs in order that those projects will show a substantial excess of benefit over cost. They are difficult to evaluate and appear to me to be questions falling within the realm of statesmanship to which the Congress can best assign the proper values.

The Chief of Engineers is saying to us that those four items begin to move in the direction of speculation and therefore he fails to approve them. He says that maybe the statesmanship of Congress can better evaluate them than he. He therefore leaves it up to us to say whether we can charge against a project real-estate values, recreational values in dollars and cents, national defense, and diversion of traffic from one river to another river in order to justify it. That is my objection to this project and I believe the House again should vote it down and affirm what it did 5 years ago. The picture is exactly the same today as it was 5 years ago, there is nothing new before the House, and I hope that the amendment which I have offered to strike it out will be sustained and that we will save the people \$67,000,000.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MAY. I wonder if the gentleman has taken into consideration the fact that the Treasury is in much better shape now to take care of this kind of item than it was before the war?

Mr. DONDERO. We do not speak of that which does not exist.

Mr. Chairman, I yield back the balance of my time.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment and ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Chairman, the gentleman from Michigan [Mr. DONDERO] has done just what he did on yesterday, he has gone back and picked up the chicken feed, the little stuff, concerning this Tombigbee project, mentioned inferentially by the Chief of Army Engineers 5 years ago.

He tells you that the picture has not changed in those 5 years and intimates that the Chief of Army Engineers is still opposed to this project. That is not true. The report recommending this project was signed by Brig. Gen. M. C. Tylor, Chief of the Corps of Army Engineers, who made the investigation.

Mr. DONDERO. Will the gentleman give to the House the number of that report to which he alludes?

Mr. RANKIN. Which one?

Mr. DONDERO. The one the gentleman says is favorable.

Mr. RANKIN. The one by the Corps of Army Engineers was made in 1939.

Mr. DONDERO. The same report from which I read.

Mr. RANKIN. The gentleman has quoted verbatim almost the words of a railroad lobbyist who has been nagging the committee for years not to authorize this project.

Mr. DONDERO. But I ask the gentleman to read the statement of the Chief of Army Engineers himself.

Mr. RANKIN. Mr. Chairman, I have pointed out before that the reason former reports were not favorable was that there was no 9-foot channel in the Tennessee River prior to the construction of the dams built by the T. V. A. Today there is a 9-foot channel provided—or it will be finished by the 1st of July—all the way from Cairo, Ill., to Knoxville, Tenn. Again, at that time we would have had to have lifts coming up from the Tennessee and then lifts coming up from the Tombigbee, and there would have been no water supply at the summit. But when Pickwick Dam was built just below the point where this project joins the Tennessee it raised the water 55 feet and eliminated the necessity for those lifts coming up from the Tennessee River. The Army engineers propose to cut through this sand ridge and place the summit of the project in the Tennessee River—in Pickwick Lake—so it makes it entirely feasible.

Now, let us see what the gentleman says. He says that the picture has not changed in 5 years. Let me say to the gentleman from Michigan that in the last 5 years the world has been plunged into the greatest war of all time and in that area now, in that very Tennessee Valley area, are many of the greatest war plants on earth. They are of such stupendous magnitude that I would not even recite the details on the floor of the House. Much of the material that goes into the manufacture of those war munitions must go up either the Mississippi or the Tombigbee. This inland waterway would be entirely protected from the sea, and if the Mississippi should be closed at

any time we would have an additional outlet through which to reach the Gulf.

The gentleman from Michigan attempts to tell you that all it would benefit would be the value of the land, and a few things of that kind, and divert a small amount of traffic from the Mississippi River.

Let us see what it would do. All the traffic in this great area from Sioux City, Omaha, Minneapolis, Chicago, Pittsburgh, Cincinnati, Louisville, and on the upper Mississippi, the Missouri, the Ohio, and the Tennessee all comes down through Cairo, Ill. This project would place Cairo a hundred miles nearer the Gulf; it would place Paducah, at the mouth of the Tennessee, 200 miles nearer the Gulf; it would place the Tennessee River at the junction of this project with that river 630 miles nearer the Gulf and 787 miles nearer Mobile. Take Cairo as a base and move counterclockwise, go down the Mississippi River to New Orleans, across through the intercoastal waterway, which is thoroughly protected from the sea, to Mobile, then up to the Tombigbee to the Tennessee, and then down the Tennessee and the Ohio to Cairo, and you have gone 1,768 miles. Of those 1,768 miles, 1,121 of it is downstream—almost two-thirds of the way will be downstream and the rest of it in still or slack water. There is not another project under the shining sun that for such small expenditure can transfer the traffic from one major watershed to another and with so much ease and with such great saving in time, distance, and transportation costs.

Here is what the Army engineers say today—and we have Army engineers today as fine as we have ever had. I do not believe we have ever had a man on that Board that surpasses Colonel Feringa who appears before the committee on these projects. Here is what he says: That on traffic going from Cairo to New Orleans, downstream—of course, that would be the way to travel because it is cheaper. You get the swift current of the stream there—but when you start back it would be 100 miles nearer, to go around by Mobile, up the Tombigbee to the Tennessee, and then down to Cairo. It would also cut the cost, and I am speaking of an 8-barge one-tow, with the average load, 3,500 tons of freight. It would cut the cost of that upbound trip from New Orleans to Cairo from \$6,273 to \$3,868, or a saving on one trip—listen to this—of \$2,405, going from New Orleans to Cairo, Ill. That means such a saving on all the traffic that travels up the river, all the way up to Cairo, St. Louis, Sioux City, Omaha, Kansas City, Minneapolis, St. Paul, and Chicago. On all that traffic on its upbound trip there would be a saving of \$2,405 a trip.

If it goes from New Orleans up the Ohio, it would save more than that. It would save \$2,803 because you would not go through Cairo but up the Tombigbee and down the Tennessee to Paducah, Ky., then up the Ohio to Louisville, Cincinnati, or Pittsburgh. It would save \$2,800 on every barge load. It would benefit the entire Nation and especially the Mississippi Valley area, including the people of Michigan.

You ship your materials to us, and we want them. We buy your wheat, your machinery, your beef, and the other things that you have to sell, but you must carry something back in those barges. You want to take back oil, cotton, cottonseed meal, lumber, tropical fruits, bananas, and other products. The expense of fighting that terrific current on the Mississippi constitutes the greatest bottleneck in our transportation system.

They talk about the benefits of this project amounting to only a few thousand dollars a year. The Army engineer estimated there would be a saving of \$9,000,000 a year minimum on this upbound traffic, which used this slack-water route, and there would be enough saved in 7 years to pay the entire cost of this project.

Suppose you were going from Mobile to Cairo, that barge load would save \$3,290 a trip. Suppose it was going to Paducah, and then probably on up the Ohio River, there would be a saving of \$3,688. Suppose it was going into the upper Tennessee, there would be a saving of \$5,392. And so your traffic would move counterclockwise down the Mississippi in order to get the benefit of this current, across to Mobile, then up through the slack water route to the Tennessee, then down the Tennessee and the Ohio to Cairo.

If you were shipping a barge load from Cairo to Birmingham, and taking one back from there, you would save, going to Cairo or other points on the upper Mississippi, the Missouri or the Great Lakes, \$5,448 on every barge load. If you were going from Mobile to Paducah, Ky., or on up to Louisville, Cincinnati, Pittsburgh, or Wheeling, you would save \$5,847 on every load.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Chairman, if you were going anywhere in the Tennessee Valley, your saving from Birmingham, Ala., would be \$7,551.

I submit that this will benefit not only the people along this river but it will benefit everyone else in the great Mississippi Valley, which means that vast area of country from the Allegheny to the Rocky Mountains. The trouble we have had before, and the trouble you have had before, has been that you could ship your material down the Mississippi River but you could not ship loads back, because of the tremendous cost of fighting this terrific current on the Mississippi River. With this inland waterway developed you could go back, and, as I said, save approximately 50 percent of the cost of your fuel, which would greatly increase transportation on all these streams.

This is not only the most feasible but it is the most necessary part of this bill. If you are going to knock out projects like this, you might as well kill the entire bill, and that is probably what will happen if it goes to the Senate with this

project deleted. It is not only necessary from a practical standpoint but it is necessary from the standpoint of the national defense. In years to come we do not know what will happen. If wars should come again, or if the present war should continue, we are going to need that development and all those great resources that this project will reach.

As soon as this present war is over we will have to aid unemployment. This project will employ about five or six thousand men for 5 or 6 years. We have machinery standing down there idle, hydroelectric dredges and so forth, we have the power available to do the work and I submit, therefore, this is the best time to make provision for the work because, as we all know, these are post-war projects to be undertaken as soon as the war closes, to be used not only to absorb unemployment but also to build up our own internal economic condition.

Mr. KEEFE. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Do the hearings indicate the extent of the local participation in taking care of the items that are provided for in the report of the Board of Army Engineers, such as the building of bridges and the changing of existing highways?

Mr. RANKIN. The bill provides that the Government shall take care of the changing of the railroad bridges for the reason that the railroads will claim they are not benefited by it. The other changes will be taken care of by local interests.

Mr. KEEFE. Where is that provision in the bill?

Mr. RANKIN. It is in the report. These bills are all based on the reports of the Army Engineers.

Mr. KEEFE. There is not anything in the report of the Army engineers. Does the gentleman refer to the report of the committee?

Mr. RANKIN. The report of the Army engineers. They make that statement in their report.

Mr. KEEFE. What assurance has the Congress, if this construction is undertaken, that these various expenses listed in A, B, C, D, and E of the report of the Board of Army Engineers will be taken care of, and that the Federal Government will not ultimately be called upon to pay them?

Mr. RANKIN. That is merely for changing the roads. That is a State and county affair, and the Federal Government is not charged with responsibility for it.

Mr. SPARKMAN. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Alabama.

Mr. SPARKMAN. Is it not true that in the bill it is specifically provided and set out that it shall be done in accordance with the recommendations of the Board?

Mr. RANKIN. Certainly. The Board of Engineers has gone into that proposition and made recommendations, and I may say to the gentleman from Wisconsin, that similar recommendations have

been made with reference to all these projects.

I wish the gentleman from Michigan would join us in putting this project through. Let us have it authorized in order that we may go to work on it when this war is over. Instead of being a burden, it will pay for itself every few years and it will pay for itself by aiding the shippers in this area here, that we call the Mississippi Valley, as well as the ones along the Tombigbee and the Tennessee.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. DONDERO].

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 104, noes 105.

Mr. DONDERO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DONDERO and Mr. RANKIN.

The Committee again divided; and the tellers reported that there were—ayes, 106; noes, 98.

So the amendment was agreed to.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: On page 9, line 18, after the semicolon, insert the following: "Provided, That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$70,000 to be immediately available as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for constructing immediately that portion near Assawoman Island, Accomack County, Va., of the inland waterway described in said House Document No. 268, Seventy-sixth Congress, first session, near Assawoman Island and located across the marsh from Gargathy, Accomack County, Va., to Gargathy Narrows, the purpose of the amendment being to provide a new waterway located as aforesaid and necessary for the relief of shoaling caused by the storm of September 1943, which created at Assawoman Island, Accomack County, Va., the new inlet which has resulted in shoaling of the existing channel which has made it useless for commercial purposes and for the necessary operations of the Coast Guard in maintaining an adequate coast patrol, the link so to be constructed being a link in the inland waterway recommended in the House document aforesaid."

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, I make the point of order against the amendment that it is an appropriation upon a legislative bill and not in order under the provisions of clause 4 of rule XXI.

Mr. BLAND. If the Chairman will hear me on that, this is distinctly an authorization. It so provides, the only purpose of the authorization being to take care of a hardship case, an emergency case, and to take it out of the provisions of this bill where the projects authorized are permitted to be begun only 6 months after the termination of the war. If this amendment is adopted, then

it would permit an immediate authorization rather than a deferment, and I should like to have an opportunity to explain the reasons for that deferment.

Mr. TABER. I have no objection to reserving the point of order and allowing the gentleman to proceed for 5 minutes.

Mr. BLAND. Mr. Chairman, in the report on this project, it is accurately stated that a substantial commerce has developed in the natural waterways inside the barrier beach despite the lack of a continuous inner passage, and regardless of the hazard to life, and the loss of property that occurred from time to time. Project 268 was reported favorably in 1939 or about that time. It has been favorably acted upon by this committee in every bill since that time to the present. It was in the bill which was passed by the Senate and was sent to the President and was vetoed by him. The situation now is that one of the links in the barrier beach which had protected the natural waterway has been washed out by the ocean. It was washed out in September of last year. It has gradually opened now until the natural waterway, that is, a part of the formerly existing waterway over which considerable commerce has developed, is shoaling every day, so that the commerce that formerly used it cannot use it any longer. The project is provided for in this bill but to wait for the expiration of 6 months after the passage of this bill will completely close that important link, and what I am asking to do is to take up the project authorized by this bill and develop it at once, so that it may take care of existing commerce.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. CARTER. I would like to know why the gentleman did not present this project to the Rivers and Harbors Committee as all other projects were presented.

Mr. BLAND. The matter was brought to my attention in February that the inlet had washed out and was in a serious situation.

Mr. CARTER. It was because it was too late to present to the Rivers and Harbors Committee?

Mr. BLAND. It was.

Mr. CARTER. Has the gentleman obtained a statement from either the War Department or the Navy Department that there was an actual war emergency for this improvement?

Mr. BLAND. Unfortunately the Navy and the Coast Guard came to the conclusion that it is not a war emergency, and that existing communication can be maintained, that is, the wire communication, the telephonic communication.

Mr. CARTER. I am sure the gentleman realizes that the usual procedure is to have these projects presented to the Committee on Rivers and Harbors?

Mr. BLAND. I am sure the gentleman who is now interrogating me knows that when time permits I always conform to all requirements of the committee and understands why I do not conform in this instance.

Mr. CARTER. I would say it is not because I am not in favor of the project if it were presented to the committee, but by reason of the fact that the Committee on Rivers and Harbors has not had a chance to consider it, as we have these other projects.

Mr. BLAND. What I am asking is to construct this link as speedily as possible at a cost of \$70,000. The matter was urged upon the Chief of Engineers, but upon investigation he found they had no authority to do anything, but that it would be included in project 268.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection? There was no objection.

Mr. BLAND. Mr. Chairman, I read now from the letter of General Robins dated November 29, 1943. I may add that this letter came in when I was unfortunately unable to attend to business in my office. I think I was in Florida or on the way to Florida at that time. The letter goes on to say:

The field representatives of the Department inspected the new inlet, which was cut through the narrow barrier beach of Assawoman Island during the storm of September 29, 1943, and they conferred with local representatives with respect to the situation. The district engineer reports that the breach is about 1,000 feet wide and located opposite the confluence of the Kegotank Creek and Gargathy Creek, some 2,500 feet north of Gargathy Inlet. The route of the inland waterway along this section of the Virginia coast follows Gargathy Creek which parallels Assawoman Island. The barrier beach has heretofore protected the waterway from the ocean, but wave action through the inlet now seriously interferes with the boat traffic on that waterway, particularly tows of monitors (flat-deck sculls) of 4-foot draft used for transporting oysters and clams from Kiptopeke and Oyster to Chincoteague, Va. During the first month following the opening of the inlet, three monitors loaded with oysters were washed on through the marsh, and at times of heavy wave action such vessels have been unable to traverse this reach of the inland waterway, resulting in decreased oyster production and a loss of income to that industry.

The reporting officers have given careful consideration to remedial measures looking toward relief for the sea-food boat operators at this locality. The most economical and permanent solution of the existing navigation hazards is the relocation of the inland-waterway route landward about one-quarter mile from the new inlet by dredging a channel about 1 mile in length across the marsh from Gargathy Creek to Gargathy Narrows. Such a channel, which is estimated to cost approximately \$65,000—

I have asked for \$5,000 additional to take care of any possible mistakes—

would provide safe transit for the monitors and other small craft using the inland waterway. Since this locality is not included within the limits of any project adopted by Congress, the Department is without the necessary authority at the present time to undertake this channel improvement with funds appropriated for rivers and harbors.

He goes on to say that if 268 is adopted and the bill is signed, it will then be possible to provide this inland waterway. I am simply asking that this link, which

is a part of the inland waterway described in No. 268 shall be built without waiting the termination of the war and 6 months thereafter but as soon as the bill is approved and an appropriation provided. This will save the Government money, and save these people their livelihood and provide the communications that are needed for the Coast Guard. That is the purpose of my amendment. It means the life and death of these people, and if a larger project is adopted, I cannot see where it will cost anything more to the Government, because it is simply doing now what would have to be done then. The volume of commerce consists of 45,000,000 clams, 350,000 bushels of oysters, and the report in 1939 of up-and-down traffic was 502 tons of clams, 250 tons of fish, 6,958 tons of oysters, while the down traffic was 280 tons of oysters, 800 tons of oyster shells. These people get their seed oysters for planting by way of this waterway. It is very essential to the preservation of food for the Nation.

Under leave to extend my remarks, I submit the following statement:

House Document No. 268 covers a survey of inland waterways from Chesapeake Bay to Chincoteague. It was favorably recommended to Congress April 26, 1939. It has been favorably acted upon by the Committee on Rivers and Harbors continuously since that time. It passed the Congress in the river and harbor bill that was vetoed by the President several years ago. The engineers reported that a substantial commerce had developed in the natural waterways inside the barrier beaches despite the lack of a continuous inner passage and regardless of the hazard to life and the loss of property that occurs from time to time. The report said that the savings in transportation costs justify the channel. One of the links in this chain was the channel protected by the barrier beach near Assawoman Island.

On September 29, 1943, this waterway suffered a storm which cut through the Assawoman Island, and cut an inlet which has become wider and the passageway between the marsh and the beach has become narrower. Ensign Jones of the Coast Guard reports that the passageway has become almost impassable to boats, and further, that this is the only means that the communication boats under his command in the Coast Guard have of keeping the telephone lines of the Coast Guard patrol in a working condition. It is the general duties of the Coast Guard office for the boats attached to the telephone section to travel from island to island in constructing and maintaining telephone lines, and as this dangerous point slows up the progress of communication work in this vicinity, it is necessary to remove this obstruction not only to help the communication work but also the people in that locality to make a living from the sea. He reported on February 25, 1944, that during the last few days he had had two boats run aground at this inlet and one was tied up for 3 days for insufficient water. The other boat damaged its rudder and the same must be docked and

repaired before it can be safely used. While these boats were at the inlet, a number of other boats hauling oysters and seafood were also waiting for sufficient water to pass.

Many other letters have been received by me to the same effect.

Lieutenant Mister of the Coast Guard reported that prior to the cutting of the new inlet the beach protected the waterway along this section, but since this inlet has cut through there is no protection against this wave action, thus interfering with all small-boat traffic on that waterway. He says that the above condition is now seriously interfering with the continuous traffic of the Coast Guard Reserve boats operating in this section between Chincoteague Island, which is near the Virginia-Maryland line and Smith Island, Virginia, which is near the entrance to the Chesapeake Bay. He says that several incidents have come to his attention recently that have caused much concern in respect to the protection of life and property at this particular point, both to Coast Guard Reserve boats and crews and the fishing industry in general.

I took the matter up with the Chief of Engineers, but he said as the proposed improvement was not included in an approved waterway, no work could be done, and that upon the passage of the omnibus river and harbor bill authorizing the project recommended in House Document 268, Seventy-sixth Congress, measures would be taken toward the relocation of the section.

However, the river and harbor bill does not provide for immediate relief but only until 6 months after the termination of the present war. The need is urgent now, and an investigation by the Engineer's office in November ascertained that the relocating channel would cost approximately \$65,000 and would provide safe transit for the craft using the waterway.

The commerce on this waterway in addition to the Coast Guard includes 45,000,000 clams per year, 350,000 bushels of oysters, in fact it is the bottleneck through which passes the large volume of commerce reported in House Document No. 268, consisting of 640 tons of oyster shells, together with up-bound traffic of 502 tons of clams, 750 tons of fish, and 6,958 tons of oysters, while down-bound traffic consisted of 3 tons of clams, 280 tons of oysters, and 800 tons of oyster shells. This is in addition to a large volume of trade in transportation of fertilizer for agriculture, coal for consumption, lumber, and builders' supplies, seed oysters for planting purposes, agricultural products, petroleum products, road-building materials, and other products.

The work authorized, if done now, will save the expenditure of thousands of dollars in the future, preserve established business from destruction, maintain the necessary communications for military defense of a coast line 21 miles long, save many lives, and preserve property. It will be of the greatest importance in providing a necessary food supply for the Nation, and maintaining the

efficient operation of the Coast Guard in protecting our coastal defense.

I ask the adoption of the amendment.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. MANSFIELD of Texas. Mr. Chairman, as I understand the amendment it will provide for immediate construction of a project that is embraced in the bill before us. The bill provides that appropriations for these purposes shall not be made until 6 months after the war unless they develop as being important in the war effort. I realize that this project is enormously important to the fish and oyster industry there. But it is not necessary—and the Department has so ruled—as being important in the war effort. If we want to make an exception with reference to this we might be called upon to make other exceptions, and there is no telling where it would lead.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield.

Mr. CARTER. I want to say I have a fishing industry in my own district and they have been clamoring also, wanting me to put through a special bill for them. I told them I thought we would all have to take our turn in the rivers and harbors bill, although it will delay things somewhat.

Mr. MANSFIELD of Texas. I would like to accommodate our good friend from Virginia and those good people over there, but I do not feel I could do it consistently and with fairness to others. That is all I have to say.

The CHAIRMAN. Does the gentleman from New York [Mr. TABER] still insist on his point of order?

Mr. TABER. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The amendment was rejected.

Mr. ROBINSON of Utah. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROBINSON of Utah: On page 29, after line 12, add the following new paragraph, at the end of section 1:

"In connection with dams or works authorized by this act, any use of the waters of any stream or tributary thereof, having its source west of the ninety-seventh meridian, shall be subordinate to and shall not interfere with use west of the ninety-seventh meridian of such waters for domestic use, irrigation, mining, or industrial purposes whenever established under State law."

Mr. ROBINSON of Utah. Mr. Chairman, I ask unanimous consent to address the Committee for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ROBINSON of Utah. Mr. Chairman, with reference to this amendment; I appreciate the fact that the committee has given us their closest attention with reference to this matter. I think the committee has honestly made an effort

to help the Western States in this particularly serious question that confronts the arid West. However, the approach by the committee to the problem is wholly ineffectual, and so far as our problem is concerned, the Case amendment really does harm, in that it not only does not accomplish what it should accomplish, but even if it were a good amendment it does not solve our problem because it only deals with the Missouri River. What is the problem with which we are confronted? I would like to have the attention of the gentleman from Michigan [Mr. DONDERO], and the members of the committee, because I believe that if you men saw the problem as we see it, you would agree to this amendment. I can see that it can do no harm. Let me point out to this Committee in looking at this map you will see this country is pretty well divided into two different sections and it is divided wholly on the ground of rainfall. You see the black line, which is the ninety-seventh meridian. East of the ninety-seventh meridian, which is indicated in green, we have an entirely different amount of rainfall than we have west of the ninety-seventh meridian. The result of that has been this: In the Western States we have developed an entirely new and different law with reference to the appropriation of water.

In these Western States, where water is gold and where it is so valuable we have built up a legal theory, and I want to say to the gentleman from California that his State is one of the foremost States in the development of that legal theory, that in order to own water you must be the first to put it to a beneficial use. So that in all the States west of the ninety-seventh meridian the only way you can acquire the right to water is by putting it to a beneficial use. If you cannot show that, then you cannot own water. And if you own it and you cannot show that you are using it beneficially, it will be taken away from you. In other words, that is the yardstick by which we own water in that area. What has come about recently that we are frightened of? A few years ago under a decision of the Supreme Court of the United States, it was held that so far as the streams are concerned, if any part of the stream is navigable, then all of the stream is navigable and all of the tributaries of the stream are navigable. Now, what does that mean? That means that every stream in the arid West is not subject to the State laws under which it has controlled and owned its water. It is subject to the Federal law under which we are operating in this bill.

Now you provide in this bill for water for navigation and you say, "Subject, however, to existing law." Well, what laws exist? The only law that exists so far as the Federal Government is concerned is the law built up on the history of a navigable stream. The result has been that in California and in Utah and in all of these Western States where we spent from the beginning of the States up until the present time working definitely with certain laws pertaining to reclamation, building these laws up un-

der State law, we come now to a point where the Federal Government, mind you, and you men who are talking of States' rights get this point, where the Federal Government can come into my State and into your State and say to any farmer in that State, "Your water right that you have free and clear under your State law and which is a good title in your State is not a good title under the Federal laws. Therefore, we will drag you into court and make you prove your title under the Federal laws."

That is the condition of the law at the present time. I ask you if it would not be fair to put something in this bill which will protect those people west of the ninety-seventh meridian so that they could control their water under the State law. I want to call attention also to this fact: That the President of the United States, seeing this problem, wrote to the chairman of the committee and asked him to correct it. He said in his letter:

I believe the bill should contain a definite declaration that the beneficial use of water in the upper-basin States shall not be affected by the proposed lower improvements.

That is all we are asking. We are simply asking that the beneficial use of our water, the title to our water that we have worked for ever since we went into that arid country, shall be determined by the States; that the States have the right to determine those rights which exist in each State, and that it be not interfered with by the Federal Government under the Constitution, which covers navigable streams.

There are hundreds of little streams. All the Federal Government has to do is to show, under the new decision, a case tried in Virginia, without any thought of ever including all this vast area, that some part of this stream, the Missouri River or some other river, is navigable. When that is shown, then the entire river is subject to Federal control under the Constitution, which provides that the Federal Government shall have control of navigation.

That is the problem that exists in this bill. This amendment is aimed to correct that. The chairman was opposed to the amendment offered previously because it picked out a certain river. This amendment does not do that. This amendment picks out a certain section of the country which by its nature, has been built up under different laws and regulations pertaining to water, than the rest of the country. It simply says, "Under these regulations we want to have it definitely understood that the laws of the States shall govern, so far as the ownership of water is concerned, when it comes to certain things."

Those things are these, "Irrigation, mining, and industrial use." For those things the State shall have complete jurisdiction. We claim no State jurisdiction over waters for navigation.

Mr. ELLIOTT. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. ELLIOTT. Does the gentleman believe that the way this amendment is worded, we will awaken some day to find, after another group of lawyers have

looked it over in our western States, that the Corps of Army Engineers could not construct dams and reservoirs, and it would be left up to the Department of the Interior?

Mr. ROBINSON of Utah. No. I think there is no question about this amendment. This amendment has been submitted to a number of lawyers from the various States, and they agree that this amendment does about what I have said it would do.

The CHAIRMAN. The time of the gentleman from Utah [Mr. ROBINSON] has expired.

Mr. CARTER. I rise in opposition to the amendment.

I want to ask the gentleman from Utah [Mr. ROBINSON], inasmuch as this has been presented to a number of lawyers, why the gentleman did not present it to the Committee on Rivers and Harbors, where we might have given it some consideration?

Mr. ROBINSON of Utah. I am glad the gentleman asked that question, because I did exactly that very thing. I presented this amendment to the Rivers and Harbors Committee and made an argument along the same line I have made today. The Rivers and Harbors Committee was very gracious and they said they could see no objection to it and that, inasmuch as the President was asking for this kind of amendment, they thought it ought to be in the bill. Much to my surprise, instead of putting this amendment in the bill they put the Case amendment in the bill, which is unsatisfactory.

Mr. CARTER. The gentleman says this amendment was suggested by the President?

Mr. ROBINSON of Utah. No; I did not say that.

Mr. CARTER. I misunderstood the gentleman. What did he say about the President?

Mr. ROBINSON of Utah. I read what he said to your committee.

Mr. CARTER. Oh, yes; we received a long letter from the President telling us what to put in this bill.

Mr. MANSFIELD of Texas. And he also said that the power should be under the Secretary of the Interior.

Mr. CARTER. Yes. He also said that the power should be under the Secretary of the Interior. I want to say to the gentleman from Utah [Mr. ROBINSON] that the President said a number of other things in this connection to the Committee on Rivers and Harbors and that the committee paid very little attention to them.

Mr. ROBINSON of Utah. Here is one thing he did say that the Rivers and Harbors Committee should have paid attention to, in my opinion.

Mr. CARTER. I decline to yield further for the moment, Mr. Chairman.

Mr. CASE. Will the gentleman yield to me for a question?

Mr. CARTER. Yes; I will yield briefly, but I would like to use some of my time myself.

Mr. CASE. We have heard the rumor that the President subsequently withdrew that letter. Can the gentleman say

whether or not the President later withdrew that letter?

Mr. CARTER. I am not privileged to say. There is a gentleman here who can answer that question. If he desires to answer it, very well. I would feel that I would be breaching a confidence if I answered the question at this time.

Now, Mr. Chairman, I had not intended to speak on this question because the chairman of the committee is quite able to handle these proposed amendments. However, this is an amendment quite similar to the one that was offered this afternoon. We have not had an opportunity to study it carefully. I want to say to the gentleman from Utah, as I said earlier today, I am very much interested in irrigation and reclamation. As you know, we have the great Sacramento River that carries, for its size and length, perhaps more commerce than any river in the world. We have on either side of that river vast irrigation areas. Now we are constructing a dam out there that is a multiple-purpose dam. It is going to aid irrigation. It is going to aid navigation. It is going to control floods. Because it does aid navigation is no reason why it is going to detract one bit from irrigation. In fact, that same dam is going to store thousands of acre-feet of water that will be used for irrigation purposes.

I wonder why all this sudden fear about rivers and harbors and navigation improvements destroying irrigation. If there is any danger here it has been here every time a rivers and harbors bill was presented to this House.

Mr. ROBINSON of Utah. Mr. Chairman, if the gentleman will yield I can answer the question.

Mr. CARTER. Not just now; if I have time I will yield.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CURTIS. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Nebraska is recognized.

Mr. PETERSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. PETERSON of Georgia. Mr. Chairman, I move that all debate on this amendment close in 30 minutes, the last 10 to be allotted to the chairman.

Mr. CURTIS. Mr. Chairman, I decline to yield for a motion.

The CHAIRMAN. The gentleman from Georgia has been recognized for the motion.

The gentleman from Georgia moves that all debate on this amendment close in 30 minutes, the last 10 to be reserved for the chairman of the committee, the gentleman from Texas.

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. Is the time asked for by the gentleman from Georgia exclusive of that granted to the gentleman from Nebraska or is that included?

The CHAIRMAN. It is exclusive of the time allotted to the gentleman from

Nebraska; he had already been recognized.

Mr. HINSHAW. Mr. Chairman, I make a point of order against the motion because it allots 10 minutes to the gentleman from Texas, and this cannot be done without unanimous consent.

Mr. PETERSON of Georgia. Mr. Chairman, I withdraw the motion temporarily.

The CHAIRMAN. The motion is withdrawn.

Mr. ANDREWS of New York. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. Does the gentleman from Nebraska yield for that purpose?

Mr. CURTIS. I do not, Mr. Chairman. The CHAIRMAN. The gentleman from Nebraska is recognized.

Mr. CURTIS. Mr. Chairman, I shall support the Robinson amendment. I supported the amendment offered by the gentleman from Wyoming [Mr. BARRETT]. I am sure the vast majority of people who understand the problem of the arid and semiarid West are in sympathy with these amendments. This is not a question of a contest between Federal agencies. We who are west of the 97th meridian want and need the Army engineers. We have a flood problem out there. They are doing a good job. I am for the so-called Pick plan for the Missouri River. We want navigation too. At the same time we want and need and must have all the irrigation that can be had.

The gentleman from Utah [Mr. ROBINSON] referred to the recent Supreme Court decision in the New River case in which the Court laid down the principle that where a river was navigable all of its tributaries were navigable and therefore the Federal Government had jurisdiction. That means that every little creek, so small that you could step across it, is subject to the control of some official in Washington. In extending the program of navigation further and further—and I am for it, I am not opposed to that—there comes a time when the people of America must decide whether or not a given volume of water will be released for navigation or used for domestic, livestock, and agricultural purposes. Suppose a dam or reservoir is constructed on a stream of the West and there comes along a period of hot, dry weather in July or August when they have had no rainfall and the water stored up is needed by the farmers for their livestock, and to irrigate their corn, their alfalfa, and their sugar beets; and suppose that same identical water also is needed farther down the stream to float barges and ships.

The question is: Who shall have the water? Out in the arid and semiarid West water for irrigation means everything. It is the difference between prosperity and poverty, it is the difference between a thriving community and one that must be abandoned. Now, if a Federal official can say to the farmers in a case such as I described that the water they need for their crops, their livestock, and

for domestic purposes, may not be used by them but must be released to add to the flow of the stream to aid navigation it would be disastrous. Crops would fail, entire communities would suffer, and the farmer's land would become valueless because his water was taken from him.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. Not just now.

This amendment does not take away the jurisdiction of Army engineers in the West. If it did I would be here opposing it. I am for flood-control work, we need it; the Army is doing a good job; I am for their navigation work; but the amendment says that if there is a clash of interests as between agriculture and navigation, the water cannot be used for navigation until the other needs including irrigation have been met. That is sound.

Mr. JENNINGS. If the gentleman will yield, a growing crop needs water if there is not to be a failure.

Mr. CURTIS. The gentleman is absolutely right. The reason we have warehouses is to store things so they can wait for transportation but crops cannot wait to be watered.

Mr. Chairman, the proponents of this bill contend that in the great Missouri River Basin, which represents one-sixth of the area of the United States, there is ample water for all purposes. I hope that is true. I am not an engineer. If that is true they ought to accept this amendment. It is fair and just. I earnestly urge that the chairman of this committee agree to this amendment. In my particular area on Republican River the matter has already been settled by compact. But the entire West is entitled to this protection.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. PETERSON of Georgia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 20 minutes.

Mr. STEFAN and Mr. HILL objected.

Mr. PETERSON of Georgia. Mr. Chairman, I move that all debate on this amendment close in 20 minutes.

The motion was agreed to.

Mr. WHITE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE. How is this time to be divided? Will it be divided equally between Members who were on their feet seeking recognition?

The CHAIRMAN. The time will be divided equally between those seeking recognition of the Chair.

Mr. HARNESS of Indiana rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. HARNESS of Indiana. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. HARNESS of Indiana) there were—ayes 80, noes 42.

So the motion was agreed to.

Accordingly the Committee rose; and Mr. COOPER having resumed the chair as

Speaker pro tempore, Mr. COSTELLO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1410. An act to amend section 4 of the act approved June 13, 1940.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to a bill and joint resolution of the House of the following titles:

H. R. 324. An act to place postmasters at fourth-class post offices on an annual salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; and

H. J. Res. 192. Joint resolution to enable the United States to participate in the work of the United Nations Relief and Rehabilitation Administration.

PLACING POSTMASTERS AT FOURTH-CLASS POST OFFICES ON AN ANNUAL SALARY BASIS, ETC.

Mr. BURCH of Virginia. Mr. Speaker, I call up the conference report on the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full conference report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BURCH]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered (2), and agree to the same.

Amendment numbered (1): That the House recede from its disagreement to the amendment of the Senate numbered (1), and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted

by the Senate Amendment, insert the following:

"Less than \$50.....	\$72
\$50 but less than \$100.....	144
\$100 but less than \$150.....	216
\$150 but less than \$200.....	288
\$200 but less than \$250.....	360
\$250 but less than \$300.....	432
\$300 but less than \$350.....	492
\$350 but less than \$400.....	532
\$400 but less than \$450.....	572
\$450 but less than \$500.....	596
\$500 but less than \$600.....	672
\$600 but less than \$700.....	748
\$700 but less than \$800.....	824
\$800 but less than \$900.....	892
\$900 but less than \$1000.....	960
\$1000 but less than \$1100.....	1028
\$1100 but less than \$1500.....	1100"

And the Senate agree to the same.

T. G. BURCH,
B. FRANK WHELCHER,
D. J. WARD,
N. M. MASON,

Managers on the part of the House.

KENNETH McKELLAR,
CARL HAYDEN,
WM. LANGER,
C. D. BUCK,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 324) to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1: This amendment strikes out the scale of rates of compensation of postmasters of the fourth class and inserts in lieu thereof a new scale. The agreement reached in conference on this amendment is in the nature of a compromise and has the effect of reinstating the rates contained in the first nine grades in the bill as passed by the House, and adopting a new scale of pay with respect to all remaining grades but the last, which remains unchanged, and is arrived at by subtracting \$12 from each of such grades with the exception mentioned.

Amendment No. 2: This is a perfecting amendment and merely changes the effective date from July 1, 1943, to July 1, 1944.

T. G. BURCH,
B. FRANK WHELCHER,
D. J. WARD,
N. M. MASON,

Managers on the part of the House.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROGRAM FOR TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in order that the Members of the House may be acquainted with the program for

tomorrow I may say that consideration of the bill that we had up this afternoon will continue until it is disposed of. At the conclusion of that matter the conference report on the U. N. R. R. A. resolution will be taken up and disposed of, after which general debate on the agricultural bill will start.

APPOINTMENT TO COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 479), as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Banking and Currency: GEORGE E. OUTLAND, California; THOMAS F. BURCHILL, New York.

Merchant Marine and Fisheries: EUGENE J. KEOGH, New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER

Mr. BENNETT of Michigan. Mr. Speaker, I have a special order of 15 minutes for today. I ask unanimous consent that the speech I will make may be included in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. BENNETT]?

There was no objection.

THE FATE OF THE ATLANTIC CHARTER

Mr. BENNETT of Michigan. Mr. Speaker, although not carried into the realm of aesthetics by its adoption, I have felt like most Americans that the Atlantic Charter was essentially a sound and basic document embodying fundamental yardsticks by which any fair and lasting peace should be measured. Undoubtedly it was as a new lease on life to the people of countries who have felt the heel of the dictator and to the people of adjacent countries as well who feared subjection to such tyranny. I think it has been regarded by people everywhere as an instrument, which if followed, would permit all nations, large and small, to live at peace with one another. Certainly, the great majority of American people have regarded it as a document of hope, the application of which would bring an end to world debacles such as this, when peace finally comes. If not a specific statement of peace aims I think the American people have at least considered it a general résumé of objectives for which they were fighting the war and for what they could reasonably expect would be the basis for permanent peace after the war.

But for those Americans who have felt that this would be a "peoples' peace" rather than a "diplomats' peace", which was given us after World War No. 1, then the course which international diplomacy has taken in the last few months must indeed be disturbing.

I speak on this subject simply as a rural American and as one who has no knowledge concerning the intricacies of international diplomacy and little knowledge about international horse trading

which is sometimes mistaken for diplomacy. I am willing to leave diplomacy to the diplomats, but if we are to have a fair, just, and lasting peace, a people's peace, then the diplomats better vanish and leave the peace table surrounded by just plain representative citizens of all nations. Citizens who would be willing to abandon diplomatic trickery and chicanery and substitute in its stead clear thinking, honest dealing with all cards on the table, coupled with a plain, simple effort to attain a just peace for all nations of the earth.

Mr. Speaker, the American people do not want to send their boys to foreign battlefields to be slaughtered every 25 years for the sake of keeping international diplomacy alive. They have every right to expect that this time a peace will be attained which can be kept for a century at least. In this war, like the last one, every soldier on foreign battlefields is being told that he is fighting so that his son will not have to do the same thing 25 years hence. This time we ought to live up to that promise, and I am one of those who think we can live up to it. But in order to end wars, our actions must be consistent with our words. We must give our cooperation to other nations to the fullest extent and we must receive that same kind of cooperation in return from nations allied with us, if lasting peace is to be had.

This brings me to the situation which I desire to discuss briefly. If the principles of the Atlantic Charter are to be applied effectively to establish a permanent peace following the war, then it is completely necessary that such principles be put into practice in international relationships during the course of the war. The Atlantic Charter was intended by its signers to take effect as of the date of its execution and not at some distant date in the future when peace finally came. In fact, the underlying purpose of the charter was to lay down rules of conduct between nations to be followed during the progress of the war so that our ultimate aims could not be distorted before its finish nor the goal which we are finally seeking obliterated by any intervening circumstances. If we do not accept it in spirit at least during the progress of the war, how can we reasonably expect that it will be used at the peace table? There are those in this country today who believe that the charter is dead and discarded. I do not believe it is dead unless the people of this country want it to be dead. In any event, they should not be deceived about it. In my judgment, Mr. Speaker, we have ample means at our command to see that the charter lives and becomes the basic document for a just peace. I shall later discuss the procedure I think we should follow.

The charter was adopted by representatives of the United States and British Governments, and, although not an original signatory to it, the Soviet Union later acquiesced in and agreed to its objectives and formally adhered to it by signing the United Nations joint declaration January 1, 1942. In this joint declaration it is provided among other things:

Each government pledges itself to cooperate with the governments signatory hereto and not make a separate armistice or peace with the enemies.

For some months past the Soviet Union has been discussing peace terms with several of the smaller nations in Europe, each of whom was forced into this war against the will of its government and its people. These peace negotiations have not proceeded according to either the letter or spirit of the Atlantic Charter. This document provided, among other things:

First. Their countries seek no aggrandizement, territorial or other.

Second. They desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned.

Third. They respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

Clearly, the present attitude of the Soviet Union toward Finland and Poland and other small nations does great violence to the principles of freedom of nations desiring to live at peace with one another. Both Finland and Poland had this war thrust upon them. It was not of their choosing. They have been at all times ready to quit the war whenever they could have peace on just and honorable terms. No one, I think, could fairly expect anything more of them. When speaking of the wanton aggression on Finland on February 11, 1940, President Roosevelt said:

Here is a small republic in northern Europe. A republic which without any question whatever wishes solely to maintain its own territorial and governmental integrity. Nobody with any pretense of common sense believes that Finland had any ulterior designs on the integrity or the safety of the Soviet Union. * * * It has allied itself with another dictatorship and it has invaded a neighbor so infinitesimally small that it could do no conceivable, possible harm to the Soviet Union, a small nation that seeks only to live at peace as a democracy and a liberal forward-looking democracy at that.

In January of the same year, Prime Minister Churchill had already voiced the same sentiments.

These words are as true today as the day they were uttered. No intervening circumstance has changed the situation in any respect. Although not included, the same expression applies with equal significance to Poland and the other small nations. The peace discussions between Finland-Poland and the Soviet Union involve the settlement of permanent questions such as boundaries and other territorial adjustments. This is no mere armistice now being considered, Mr. Speaker, because it involves the settlement of permanent problems and policies. Once established, the Soviet Union will rightfully insist they are permanently settled. Likewise, the recognition of the Badoglio government in Italy by the Soviet Union, without our knowledge or consent, involves further long-range commitments which may or may not be permanent and which may

or may not be consistent with the general welfare of all our allies. This all amounts to a clear disregard on the part of the Soviet Union of the plain language of the Atlantic Charter to which it agreed, and I strongly suspect that it violates the several conferences and agreements between leaders of the several Allied Governments as well.

Are not the people of this country entitled to know whether our Government intends to silently acquiesce in such conduct on the part of one of our principal allies? Can we afford to remain silent and still be honest with ourselves? There are groups in this country who feel that Russia is fighting and winning this war for us single-handed. I give the gallant people of Russia due credit for the courageous fight they have made in defense of their own country. But where does credit for our contribution come in? Have we not been generous to Russia? The fourteenth lend-lease report shows that as of January 1, 1944, the total dollar value of lend-lease supplies to Russia amounted to \$4,240,585,000. Is this an insignificant thing, Mr. Speaker? Included in this amount was some 7,800 planes, 4,100 tanks, 700 tank destroyers, 173,000 trucks, 33,000 jeeps, 25,000 other military motor vehicles and about 6,000,000 pairs of boots for the soldiers of the Red Army. Add to this 177,000 tons of explosives, 1,700,000 tons of steel, aluminum and copper, and 400,000,000 tons in industrial equipment, 740,000 tons of aviation gas and lubricating oil, 2,250,000 tons of food, including 50,000 tons of butter.

Is this not some evidence of our own generosity and of our desire to cooperate with an ally? In addition to this, we have millions of our boys fighting and dying on Europe's battle fronts to exterminate the same aggressors opposing Russia. Are not Britain and ourselves at least on an equal footing with the Soviet Union so far as contributing to this war effort is concerned?

Why then are we so meek? Is it because we dare not offend an ally no matter how basically wrong her position may be, or is it because we have given up faith in establishing the principles laid down in the Atlantic Charter?

We have groups in this country urging Finland and Poland to accept the unilateral peace terms of the Soviet as the best means out of a desperate situation. How can we in the spirit of fairness and common decency urge a settlement which will mean virtual extermination of the free and independent governments of these sturdy little countries? Why, Mr. Speaker, that is the very sort of thing that killed the treaty at Versailles. It amounts to a sacrifice of principle for expediency; it means the abandoning of human rights and liberties at a moment when we can least afford to make that sacrifice. No, Mr. Speaker, in making such assertions these people are doing irreparable damage to the cause of freedom of governments and freedom of peoples everywhere when this war is finally won. I will tell you what I think we should do, and I say this as an average American, because I am neither

statesman nor diplomat. We should insist that the Soviet Union live up to her agreements; we should insist that the Atlantic Charter be followed and adhered to now; and last, but not least, we should insist that the Soviet Union treat us as an equal ally equally concerned with the outcome of this conflict and equally concerned with the peace and future welfare of the world. Mr. Stalin will listen to our side of the story if he knows that we mean what we say; but I think it is clear that he will continue to do exactly as he pleases in his dealings with other nations unless we convey to him in plain, simple, and straightforward language of unmistakable meaning, that we expect his government to deal with its allies with all cards on the table, in the spirit of harmony and friendliness so vital to winning both war and peace.

EXTENSION OF REMARKS

Mr. BENNETT of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and to include therein a radio address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. BENNETT]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. SMITH of Maine, for Wednesday, March 22, on account of official business.

PERMISSION TO ADDRESS THE HOUSE

Mr. WRIGHT. Mr. Speaker, after disposition of business on the Speaker's table and at the conclusion of all other special orders tomorrow, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. WRIGHT]?

There was no objection.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a table from the United States Department of Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the late Francis D. Culin.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FULLER]?

There was no objection.

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from Pennsylvania [Mr. SCOTT] is recognized for 30 minutes.

HOW TO LOSE FRIENDS AND ALIENATE PEOPLE—THE PRESIDENT'S DISASTROUS FOREIGN POLICY

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record and to include

therein certain newspaper and magazine articles which will be referred to in the course of my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. SCOTT]?

There was no objection.

Mr. SCOTT. Mr. Speaker, by pre-invasion time, it is a quarter to 12. Soon we shall be on the march. Occupied territory will become liberated territory. Enemy lands will become conquered areas. In the military sense, we are ready. In the political sense, we are not.

Has any American been told what our foreign policy is? Or whether we even have one? Stalin has one. And it is not the Atlantic Charter. Churchill has one. And it is not the Atlantic Charter. I propose to inquire, within the limitations of the time available to me, why we have lost so much territory in the diplomatic field.

What has happened in the past few years to our relations with the United Nations and the neutral nations? They have deteriorated dangerously. And everybody knows it. Why? We aren't supposed to ask, our Olympian rulers tell us. But no reasons of supposed military necessity can justify the willful refusal to tell the people of this country why it is, that during the past 2 or 3 years we seem to have gotten in bad with just about everybody.

It was some years after the last war before we reached the Uncle Shylock stage. But now this is an age of speed. We are being distrusted sooner in this war. The war is nowhere near won, and we find the administration floundering around, making mysterious noises but still entirely unwilling to take the country into its confidence. A decade of failure in the field of foreign policy accounts for, but does not excuse, continued secrecy on the part of the President.

Before the war, there were many who said: "I do not approve of the President's domestic policies but his foreign policy seems to work well." Much of this approval operated in the President's favor after he made his famous promise at Boston on October 30, 1940:

And while I am talking to you mothers and fathers, I give you one more assurance.

I have said this before, but I will say it again and again and again.

Your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

Since we are in fact closely and desperately engaged in two foreign wars at the same time, for the first time in our history, one may be entitled to wonder whether our "faultless" foreign policy had anything to do with it.

In any event, we entered the war with numerous friendly allies. When we come out at the other end of the long dark tunnel and return some day to the ways of peace, will we have any friends left? Who will they be? Russia? France? China? Italy? Argentina?

Would anyone be so sanguine as to predict it?

What kind of a policy have the President and the State Department been following that we have come to this pass?

Why will they not confide in the American people?

What kind of people do they think we are?

Mr. Speaker, nearly everyone is familiar with the story of the three stonemasons who were engaged in the construction of a massive edifice.

To an inquiring stranger, who asked of the three men: "What are you doing here?" the first replied, "I am just putting one stone on top of another."

The second man said: "I am working in order to get such and such amount as my pay."

But the third stonemason, with pride in his craftsmanship and the inspiration which comes from an understanding of what one is about, made this answer, "I am building a cathedral."

We are, all of us, engaged in the building of a cathedral—the high-spired, great-vaulted cathedral of liberty. This is no less true of the citizen, whether in the armed forces or contributing his effort on the home front, who will tell you that he is merely doing the day's job as it comes to hand, but to the soldier and his fellow citizen at home, the job he does will bring greater recompense, and perhaps be sooner finished if he knows what he is fighting for. Then may he say with the wise stonemason: "I, too, am building a great cathedral; I see in my mind's eye the outlines taking shape, the things which we must know and the deeds which we must do, if we are to build an enduring edifice for the free."

As of today, however, it is safe to say that there are more Americans who feel about this war that they are living in ignorance of its long-range purposes than there are with any clear sense of why we fight.

We are well aware that we have reached in this war's progress the time of the steel's last tempering—the moment just before Americans and their allies will storm the barricades of the European fortress.

We have come to this tomorrow's eve with our armed forces prepared for the prosecution of the war to absolute, final victory.

After the victory is won, do we, the people of the United States, have any clear idea about what we are going to do with our victory? Not that the war is anywhere near won. Far from it. But its end must not find us without a foreign policy.

Have we a foreign policy? Whose? A people's foreign policy?

Will our foreign policy be dictated by American public opinion? Not unless we get to work on it now by free and open public debate and discussion.

Can we wait until the war is won? Yes, we can, if we wish our foreign policy to be determined for us by our allies, or even by our enemies. By Germany. Does that sound too farfetched? Let us see. A number of American newspaper correspondents have just returned after

more than a year's confinement in Germany.

Hear the report of Philip Whitcomb, of the Baltimore Sun:

Germany is working at top speed on the construction of a new Europe, with endless international commissions, conferences, trade agreements, institutes.

A returned reporter for the Christian Science Monitor adds:

Newspapers in 17 languages support a "New Socialist Europe" under Nazi leadership.

Oh, we can wipe out the Nazi leadership—if we preserve enough determination to go through with it, as we should—but deep down into the thought stream of the 200,000,000 now under German hegemony have been planted schemes for the reconstruction of the kind of Europe the Germans want, and these ideas will recur and be presented most plausibly by spokesmen pretending to speak in the interest of non-German countries. Shall we be able to recognize these spokesmen as Quislings with delayed fuzes?

We shall not be able to combat these ideas, or perhaps even to recognize their origin, unless we have a better idea as Americans of what our stand is going to be on some of the foreseeable problems which will involve American decisions—decisions we will be better equipped to make if we have had some preparation for them by publication of information not essential to military security which we are entitled to have. The publication of much concealed information is long overdue.

The inescapable fact is that our foreign policy is now being handled exclusively by Franklin D. Roosevelt as President and Commander in Chief. His failure to recognize any clear line of demarcation as between his two responsibilities contributes to the confusion as to what is happening to our foreign policy.

The President has no exclusive power to make foreign policy or even to commit the United States to any policy whatever.

The Constitution does not even mention the words "foreign affairs" and sets definite limits on the President's sphere of action. The President cannot declare war or sign a peace treaty or send an Ambassador or consul to any part of the world without the concurrence of Congress. He may send a personal representative, and has done so, to the further confusion of our foreign policy. As was so well stated in the March 20, 1944, issue of Life magazine, on page 26:

In fact, foreign affairs are so closely intermingled with domestic affairs that any President who took absolute power over foreign affairs would automatically become a complete dictator over domestic affairs.

The President, therefore, has two devices. He can either (1) work with the Congress or (2) give it the run-around. If he is going to work with Congress, then the fact to remember is that Congress and the people must be told clearly what the President's proposals are in order that they may pass intelligent and honest judgment thereon. If the President tries to act without a full understanding of his purposes by Congress and the people, then he is bound to fail—unless the people really want a dictatorship.

Mr. Speaker, I am sure that the Members of Congress have noted, and the American people have noted, concurring and significant unanimity on the part of qualified analysts of foreign affairs as to the continuing lack of American foreign policy.

Mr. Arthur Krock, who has long defended the State Department, recently insisted that "only a clear and candid statement by the President and Mr. Hull can remove these apprehensions." Further quotations from Mr. Krock revealed the apprehensions to which he referred:

Because of the fog that masks our policy and has produced diplomatic inaction * * * Soviet Russia will dominate the post-war structure * * * that domination exists superficially already.

Since Mr. Hull's moral triumph at Moscow, the United States seems to have abandoned the diplomatic leadership of the United Nations—except with the swing-back movements in South America.

If we have a post-war policy toward Europe, including the disposition of Germany, the time is overdue to state it. If we have not yet formulated such policies, it should be done at once lest events, including strong moves by Soviet Russia, render them obsolete and ineffectual before they can be stated.

The third-term campaign of 1940 delayed the rearmament program by many months, impelled the President to give assurances against war involvement that the world situation refuted, and contributed disastrously to the unpreparedness psychology of the people. If the same political considerations, geared now to a fourth-term effort, are permitted to postpone or obscure candid post-war statements of national policy, the eventual cost may be even greater.

Another recognized voice on foreign affairs, Miss Dorothy Thompson, reveals some information of which the American public was unaware, to the effect that Mr. Churchill had applied a death blow to the Atlantic Charter:

Mr. Churchill buried the Atlantic Charter. Since the President, co-author, has not taken issue * * * we may take it the abandonment of the charter is established policy.

Presumption of the Atlantic Charter was that its basic principles applied to all—victor and vanquished alike. * * * But (Mr. Churchill) made the flat statement that the Atlantic Charter does not apply in any sense to the enemy. "Unconditional surrender" means we end the war, he explained, with no promises of any kind.

Why do we want to free our hands? Is it because we have a plan for Germany and Europe which we prefer not to publicize? Or is it because we have no plan at all?

Has the Soviet Union a plan? Yes—no doubt, several plans. * * * If we enter Europe without a plan, while the Soviets have a clear one in reserve, we stand to become caught in situations for which we are completely unprepared.

Another foreign-affairs expert, Anne O'Hare McCormick, states a belief that the relations among Russia, Great Britain, and the United States have deteriorated since Tehran and expressed the view that "unless the British and American Governments reach joint decisions now there will be no chance of a joint guardianship of the peace."

This unanimity has found expression through the writings of many another sincere and informed expert. I include at this point a quotation from the March

20, 1944, issue of Time magazine, in which are summarized the opinions of some of these writers:

THE PROBLEM OF TOMORROW

At the same time the New York Times' London bureau chief, James B. Reston, managed to send through censorship several articles reporting concern that the United States is not taking a leading role in defining the shape of post-war Europe. He noted that "the great power of Soviet Russia in the political field is active, while the power of the American Republic is much more passive. * * * The silence of the United States on (European) topics is a source of a considerable amount of questioning" among Allied diplomats who must plan for the future.

The Times' military expert, Hanson W. Baldwin, simultaneously has discovered that the political factors in the war today are more important than the purely military factors. Pondering this, he wrote: "The major political problem of Europe is the problem of tomorrow. * * * Since Tehran there have been many disturbing trends * * * the war strategy may be affected." Among such he cited Russia's insistence on "multilateral settlement of problems in western Europe but unilateral settlement—her own—of affairs in eastern Europe."

The Scripps-Howard foreign expert, old (62) William Philip Simms, has been brooding in Washington over the mysterious vagueness of United States foreign policy. Of the Balkans, he wrote: "Anglo-American policy has reached such an obscure, undecipherable stage that United Nations circles here regard it as the prize mystery of the war."

He reminded readers of a United Press report from Ankara that the Turkish price for entering the war was 300 planes and 500 tanks, and that this absolutely picaresque payment, this inconsequential dribble, had not been made. "So far," the Ankara authority told United Press, "not a single tank or plane has been delivered. All we got were beautiful words."

Columnist Simms did not have to search far for a reason. He reported the Washington belief that "Russia is opposed to Anglo-American activities in the Balkans, and London and Washington deferred to her wishes." This seemed to him further evidence of Russian dominance, and American vagueness.

Mr. Simms considered the newest Polish partition, too, and then stated flatly: "If the Atlantic Charter is something that members of the Big Three can take or leave to suit themselves, but which smaller nations must accept whether they like it or not, the announced war aims of the United Nations become a shabby business."

These were only a few of the minds that by various paths were reaching the same conclusions. Even Columnist Sam Grafton, who blames President Roosevelt's State Department but never President Roosevelt, was expressing concern over the enigma of United States foreign policy. (This time Mr. Grafton blamed the United States people.) And such a heavyweight pundit as Walter Lippmann, apostle of power politics and exponent of expediency, was so freighted down with the seriousness of the crisis that he retreated, in a column tilted "Jitter-Making," into a jittery statement that since no one knows all that is going on—not even he himself—no one should say anything in particular.

The United States citizenry might not yet be able to piece it all together. But they had at least been told—not by their still silent Government—that the Atlantic Charter is dead; that the relations of the Big Three are worse, not better, since Tehran; that the administration's persistent inability to for-

ulate a foreign policy was based on term IV politics; and that this lack was so serious that it had begun to seem that World War No. 2 would settle nothing.

What are some of the questions on which information is available but withheld? Just to state some of them will exhibit the need for more information, unless we are prepared to surrender, by default, our right to any share in the making of the conditions precedent to an enduring peace.

What goes on behind the scenes with regard to the kind of Germany Europe must bear after the war?

Was it decided at Teheran that Germany is to be kept strong and substantially intact, a buffer between Great Britain and Russia?

What of the German Army? Were not some decisions made on its continuation in strength, after surrender?

Were not the terms of an eventual German armistice agreed on in principle?

If this is so, what are the chances for the survival of France? Was "Vive La France Eternelle" but a fireside phrase?

General de Gaulle, like Marshal Badoglio, has already been recognized by Marshal Stalin, who pursues a policy of recognizing—and thereby gaining the good will of—any government which is now exercising the powers of government or can be put in the position to govern, by the United Nations. As a result there is reason to anticipate a pro-Russian Europe after the war, one over which Russia's sphere of influence policy stands more than an even chance of prevailing over the British balance of power policy, which latter we seem to be ineptly seeking to further.

I believe that the American people are convinced that the people of France are behind General de Gaulle and are prepared to support his movement. I believe that further delay on the part of our Government in recognizing General de Gaulle's regime as the true provisional government of France may cost us the friendship of the French people after the war. The President ought immediately and without qualification or equivocation recognize General de Gaulle as head of such a government.

In line with these views, I include at this point an article by the temperate and highly regarded Mr. William L. Shirer, appearing in the Washington Post of Sunday, March 19, 1944:

UNITED STATES ATTITUDE TOWARD FRENCH COMMITTEE IS STUBBORN AND UNWISE

(By William L. Shirer)

The news revealed in the New York Herald Tribune last Sunday by Mr. Frank Kelley that the President has decided to have as little as possible to do with the French Committee of Liberation after the Allied invasion of France will not greatly aid our American propaganda to France, or, for that matter, to the other occupied lands.

For it confirms the worst fears of these already downtrodden peoples that they are to have, after all, a considerable period of Allied military government which though a million times preferable to the brutalities of Nazi rule is not what they had hoped and prayed for. Quite simply, they want a temporary civil government of their own as soon as each region has ceased to be a zone of military operations. The President, however, has decided they must put up with our military rule

until that distant day when, under our supervision, they will be free to elect their own form of government—a ridiculous and impossible proposition since it assumes that a people can make political decisions in a vacuum.

OUR POLICY IS INEPT

In the case of France, by far the most important country to be liberated, this decision by the President represents, of course, merely a continuation of our inept—if not disastrous—political policy in north Africa and Italy. It seems to indicate, too, a curious stubbornness that is not very politically enlightened.

We bet on the losing horse in French affairs when we put our money on General Giraud. But we will not admit it, we will not face the fact or the consequences of General de Gaulle's triumph in north Africa. Nor—and this is more serious—will we recognize that his French Committee of Liberation represents the overwhelming mass of the French people who are on our side, who have done all the resisting to the Nazis and the Vichy Fascists, and who, therefore, are the only possible people whom a wise Allied political leadership would trust with civilian government behind our lines.

Instead, Mr. Kelley informs us from Washington, we are going to burden General Eisenhower with the political responsibility of deciding whether to deal or not with the committee in the setting up of civilian authority behind the Allied lines. Indeed according to my information, our commanding general will be instructed to deal with any group in France he chooses, not excluding the Vichyites!

Naturally in the zone of military operations Allied military rule will be supreme. Every Frenchman will understand that. But the President's decision governs those zones which eventually will lie far behind the fighting front. It is in these regions that the French committee had asked to be recognized as the provisional government. This request has now been turned down in Washington.

COMPLEX, URGENT JOB AHEAD

Few of us in this country realize the complexity and the urgency of the temporary political job that must be done in France as soon as the troops have passed on. The French committee in Algiers, as it happens, has been working out with the French underground detailed plans for this very task—plans, alas, which will now have to be scrapped in favor of those of our well-meaning but inexperienced A. M. G. officers.

In the realm of justice, emergency civil courts will have to be set up quickly in every liberated town. The immediate danger of a wild inflation must be met, currency called in, new currency issued, and an equitable arrangement worked out for the supplies and labor which the invading armies will purchase. There will be urgent problems of food and clothing, public health, transportation.

The Fascist police force organized by Vichy and the Nazis must be quickly replaced by a reliable one. There will be the matter of new newspapers to replace the current collaborationist journals. There will be the problem of mobilizing French labor and of its demands that the old free unions or new free unions be recognized. There will be a hundred and one problems that are bound to crop up when an old and spirited people is suddenly released from a savage slavery they have never known in all their history.

Should General Eisenhower or military subordinates with no background of politics or even of France be made to frit away their time trying to solve these matters? Or would it be wiser to turn the job over to Frenchmen who have lived under the occupation and helped fight our battle against the Nazis, and who, therefore, can be trusted?

COMMITTEE REPRESENTS FRANCE

Most of the 17 members of the French committee and of the 100 members of the consultative assembly worked first in the French underground against the Nazis and against Vichy. Forty-five of the representatives in the assembly did not leave France until last fall.

The underground is united in France under the leadership of the Central Council of Resistance and it includes every group from extreme conservatives to Communists. The central council is in close touch daily with the committee in Algiers.

The French committee, which asks only for provisional authority to help lead its own people out of the chaos and ruin, has solemnly promised to lay down its job as soon as the French people are ready to choose their own new constitutional system.

But in so doing the French will have to start from something, however small. This the committee could provide them. If we keep France under Allied military rule, how do we propose to hold an election in which the French would decide their future? For what would we have the people vote? For whom? The old parties? New parties? Under some reconstituted framework of the Third Republic? Under no framework at all? It simply can't be done. If we try, we shall inevitably fail, and in doing so make a pretty mess of this part of the peace.

One wonders whether we have learned that wars are fought—and won—not only by military action but by political action. The promise of our military might in the coming invasion is bright. But politically we seem to be almost deliberately trying to make an unholy mess of our affairs. Since political and military action are complementary, making a mess of one will inevitably harm the other.

Was the Fourth Partition of Poland decreed at Teheran, the Atlantic Charter to the contrary notwithstanding?

Was not Hong Kong denied to Chiang Kai-shek at Cairo, the Atlantic Charter to the contrary notwithstanding?

LATIN AMERICA

The stress and strain of war has brought out many evidences of weakness in our foreign policy toward Latin America.

For over a decade our foreign policy in this hemisphere has been ballyhooed as evidence of this administration's skill in foreign relations. It has been argued that we have been so successful in our foreign relations with Latin America as to warrant confidence that this administration can handle with equal verve and skill foreign relations with any country in the world.

In the beginning, let us admit frankly, the good-neighbor policy appeared to have much to recommend it. It was certainly better than the arbitrary use of superior force and as long as the United States seemed so ready and willing to buy the friendship of Latin America by large expenditures of moneys in their domains, much of the resentment against the "Colossus of the North" appeared to be melting away. The great difficulty with any attempt to buy friends, however, is that you may run into a change of climate when you attempt to collect on past benefices.

Another latent defect in our policy of open-handed generosity toward some of our neighbors to the south has manifested itself in two ways: First, the neighbors who got the money are beginning to

complain that we have disturbed their internal economic system. Second, the neighbors who did not get the money, or who did not get as much as someone else, are complaining of partiality and are telling their people that we are attempting to drive wedges between the good neighborliness of Latin neighbors.

Our supposedly felicitous foreign policy in Latin America rolled along fairly well during peacetime, since we appeared to expect very little in the way of return for anything done by Uncle Sam for the benefit of other countries. After Pearl Harbor, however, this country needed to be sure not only of friendly expressions of good will but of active collaboration on the part of Latin-American nations in the war against the Axis. Some of our drafts against the good will banked away in Latin America were honored; some of them were not. When we shipped tanks to Guatemala we undoubtedly increased our good will with the "ins" in that country, but it is questionable what the "outs" now think of "El Coloso del Norte." We no longer call it armed intervention, you will note, but we send lend-lease tanks, planes, and war materials for the support of the existing regime and for "defense of the Americas"; we pick good solid dictators in many of the countries and we reinforce them mightily. In this way we do not let the Atlantic Charter know what the good neighbor doeth.

Our so-called good-neighbor policy has recently cracked very badly under the stress of war. The Government of Chile, hailed in this country with much fanfare as the most democratic government in South America, has been counted on to give us strong evidence of its friendship and cooperation. Yet, it was our friend Chile, publicized as a paragon of democratic government, which led all South American countries in very promptly recognizing the Farrell regime in Argentina.

We have in fact sustained in Argentina our worst diplomatic defeat of the war.

The President and the State Department have been trying to form a united hemisphere front against the anti-United States Vice President of Argentina, Señor Edelmiro Farrell. Our Government and the British Government have abstained from entering into official relations with the Farrell regime. Our supposed hemisphere front was broken wide open by the prompt action of Chile, a supposedly friendly democratic country, which nevertheless extended recognition to that government in the Argentina which we have been told is pro-Fascist and which is certainly anti-United States.

One result of our dubious pan-American policy: cheering Argentine pro-Fascists surrounding the Chilean Embassy and gleefully confident that other South American countries will follow the example, not of the United States and Great Britain but of our supposedly strong friend, the Government of Chile.

A news report this week states:

Argentine nationalists put on a show last week in front of the United States Embassy in Buenos Aires, waving flags of Argentina,

Spain, Bolivia, Paraguay, and Chile, they shouted, "Down with the Yankees." Loud were the cheers for the new President, Edelmiro Farrell, stooge of Fascist-minded Col. Juan Domingo Perón. Loud were the jeers for the United States, which had failed to form a united hemisphere front against his recognition.

All in all, we have been made to look very foolish in South America, partly because nobody really loves a sucker and partly because blood is thicker than water.

We seem to have made good neighbors of Chile and Argentina as between themselves, but it is doubtful whether this is what the President meant by the "good neighbor" policy. The same thing goes on all through South America.

Following our President's policy of secret covenants secretly arrived at, we helped through our Ambassador Boal the entrenched capitalists of Bolivia against the downtrodden peons and underfed Indians of that country, justifying the injustice to the people of Bolivia by our need for tin at any cost. It does not seem to have occurred to this administration that had we thrown our weight into the balance in favor of the common man in Bolivia we might have gotten more tin and more good will in the end. As it worked out the common man got a nice visit from Vice President WALLACE, and the continuance of Bolivian dictatorship.

Reverting to Argentina, I think it should be pointed out that never before in the history of any previous administration have our relations with that country deteriorated to the point of actual open hostility toward the United States. In no other administration has our South American policy led to anti-United States demonstrations and parades. Prior to this administration it is true that we were regarded as too powerful for the comfort of our neighbors and that mistrust expressed itself from time to time in various Latin countries. But we sought to buy off that distrust, after the New Deal, with large expenditures of money and extravagant promises by the President and Vice President of this country. We have seen as the fruit of our policy of buying friends, the growth of greater distrust than ever before and the rise of active hatred against the United States in more than one Latin-American country.

The truth is, we have evolved no foreign policy whatever so far as Argentina is concerned. For fear of colliding with British interests we have alternately badgered and cajoled. We have risked the future of our whole pan-American policy in order to satisfy the undoubted need of Britain for Argentine exports. But bad blood and hatred for generations to come directed at the United States but not at Great Britain is a high price to pay for these exports, particularly since it is clear that they are not at this time critically needed nor essential to keep Great Britain going.

After the coming of victory in Europe, it is presumed that the Government intends to turn its full force upon Japan.

That will be a time in which there should be no distractions or confusion

in Congress or in the minds of the American people as to our reasons for fighting this war or what we expect to do with the victory once gained. If we have no clear idea of what our foreign policy is either in Europe or the Pacific, we can expect with the end of the European war a great deal of turmoil when we seek to improvise our policy toward the fashioning of a peace in Europe. We will run up against other Nations with much clearer ideas of what they want and what they want done. By crystallizing public opinion now we can avoid the dangers inherent in the President's habit of improvising foreign policy, as well as domestic policy on a 24-hour basis.

One of the great drawbacks of personalized government, operating on the principle of all knowledge retained in the minds of three men, is that much delay and indecision necessarily ensues in the interludes between the meetings of the big three.

The old American custom of doing foreign business through ambassadors and ministers enabled Presidents to keep themselves constantly informed through information furnished by competent and trusted men on the spot. The unwillingness of the President to operate in the traditional American fashion has resulted in a series of highly dramatic conferences attended by public hand-shaking and private head-shaking, followed by another decline and deterioration of the relationship between our allies and ourselves. This phase is then followed by another sudden and dramatic patching up of our relationship to our allies. It has not resulted in any clear or even reasonable specific statement as to our intentions toward our enemies.

Americans are not used to having other nations know what they want, while we are told that no information is available. We are tired of being beaten to the gun again, and again, and again. We are entitled to expect that our President, in paraphrase of the words of President Washington, will raise a standard of foreign policy to which Americans may repair.

Our foreign policy up to now has been so much worse than our pitifully unfortunate domestic policy that there is not even adequate ground for comparison. There is one thing to be said for an inadequate and unfortunate domestic policy: Mistakes made on the home front can be corrected and the damage undone by a succeeding administration headed by competent men. Damage done in foreign affairs wrought through ignorance, vanity, secretiveness, or plain incompetence may lead us, without the consent of our people, into such deep involvement with other nations as to be irreparable.

A wise and clear-sighted foreign policy is the need of the hour. The American people should be told, as specifically as possible, what our war aims are, what our relations are with our allies, what our intentions are as to our enemies, and how we expect to avoid the catastrophe of another war through an acceptable form of international organization, established within the powers of the con-

stituent governments and dedicated to the maintenance of the peace.

It is up to the President of the United States to take the people of the United States into his confidence.

It is later than we think.

SUSTAINED-YIELD FOREST MANAGEMENT

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the action of the House in passing S. 250, to promote sustained-yield forest management in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife, this morning be vacated, and that the bill may come up in its regular way on the Consent Calendar, or on the Union Calendar. When the bill came up yesterday the gentleman from South Dakota [Mr. CASE] asked that it go over for further consideration, but this morning before I got here the bill was put through by unanimous consent.

Mr. CANFIELD. I ask the gentleman to defer that request until tomorrow.

Mr. WHITE. Inasmuch as it was done only this morning, I think that the gentleman should agree to my request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

Mr. CANFIELD. Mr. Speaker, I object.

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. KENNEDY] is recognized for 30 minutes.

A TRIBUTE TO MONTE CASSINO

Mr. KENNEDY. Mr. Speaker, today, March 21, is the feast day of St. Benedict. As the time of Easter draws near, our thoughts inevitably turn toward higher things; our hearts take new hope and new courage in the contemplation of the eternal miracle of rebirth, in the victory of love over death, in the triumph of the spirit.

Our faith in the indestructibility of spiritual values has withstood many shocks, even in a world grown accustomed and callous to horror. And yet, hardened as the conscience of humanity has become, who can forget the thrill of horror that shook us when, on the morning of February 15, the newspaper headlines announced the destruction of the Abbey of Monte Cassino.

It is good that we should feel shocked. For it is proof, if proof were needed, that the treasures of the spirit are still tenderly cherished among men, and that we are still capable of weeping, as Christ did, over the beauty of doomed Jerusalem. To be sure, tears will not restore the Monastery of Monte Cassino; but out of our grief and agony of spirit will emerge the solemn resolution to rebuild that venerable shrine to greater glory. Rebuilding is the theme of Easter, the time when the faith that moveth mountains dedicates itself anew to the labor of the spirit.

It is not inappropriate, at this point, to recount some of the glories of this great Christian monument. The huge gray-brown stone buildings that loomed, for more than 15 centuries, 1,700 feet above the fertile Liri Valley halfway between Rome and Naples have seen many wars come and go. They have looked down on vineyards and dusty herds of sheep, on the clash of swords and the roaring mouths of cannon. And, finally, on February 15, a great splatter of bombs struck squarely in the central courtyard buildings, the huge dome disappeared, and black smoke rolled high above the crest of the hills.

Monte Cassino was one of the oldest monasteries, and certainly the most famous of them all. Deeply revered by Catholics, it was sacred as well to all Christians, and indeed to all mankind who revere our inheritance of learning, of ancient manuscripts, and sculpture in ivory and gold and rich marbles, of paintings and holy relics which were preserved there.

St. Benedict, the founder of Monte Cassino, was the patriarch of the western monks. Born in A. D. 480, of the renowned family of the Anicii in Nursia, near Umbrian Spoleto, he was sent by his father to school in Rome. The shocking licentiousness of the great city drove him away. He fled to Subiaco and there, in a cave opposite the ruins of Nero's palace, he spent 3 years of his early manhood in solitary prayer, meditation, and austerity. His fame spread; disciples flocked to him, and gradually he established 12 monasteries in the vicinity, setting 12 monks in each, though he remained the head. Soon Roman nobles and senators were sending their young sons to him to be brought up in the monastic discipline.

Later, accompanied by a small band of disciples, he journeyed south until he came to Cassino. Legend has it that he was led by two birds and two angels, and those who understand the language of legend tell us that this means that he came here because of his love for the beautiful things of earth as well as heaven.

St. Benedict climbed the high mountain that broods majestically over the little town of Cassino, and established on the summit the monastery with which his fame is forever joined, and which for centuries was the chief fountainhead of religious life and learning for western Europe. He eradicated the lingering remains of paganism round about, and, by his preaching, won the countryside to Christianity. Here, surrounded by the faithful, in the fullness of time, he died, leaving behind him a great light in the darkness.

The rule of St. Benedict, "Laborare est orare," means interchangeably, "To work is to pray" and "To pray is to work." Either way, it expresses succinctly the unity between man's highest aspirations and his most wholesome needs. The depth of the religious fervor of the Benedictines cannot be questioned; as to their labors, in a time when wars and plagues were rife in the land, and when the foundations of our civilized life seemed about to be swallowed up by the Dark Ages, the

Benedictine monks conserved and practiced the art of agriculture, and taught it to the barbarian folk around them; developed weaving and other handicrafts; ferreted out the very rudiments of science; explored and expanded the art of music, without which our magnificent symphonies could never have been created; studied and copied and saved for posterity the ancient scrolls of wisdom and poetry and Sacred Scriptures; developed much of the majestic liturgy which exists even in the church today; and, at the same time, served as shepherds of the flock, instructing all who would come to learn.

And here they continued to build and to beautify the monastery which crumbled on February 15. The ancient vaulted entrance dated from the days of St. Benedict himself, but the cloister courtyard was built by Bramante, the architect of St. Peter's in Rome. Here the ravens stalked and flew at will, in memory of the birds which led the patriarch to this spot. In the seventeenth century, the magnificent marble church itself was erected, and in our own time the ivory and bronze and silver tombs of St. Benedict and St. Scholastica were built by the monks.

Kings and statesmen and scholars have flocked to the monastery, from the sixth century to the present day, to ponder the precious rolls of pagan and Christian antiquity and find spiritual solace. Up to the time of Dante, in the fourteenth century, about 800 years after the founding of Monte Cassino, the rule of St. Benedict was practiced in several thousand monasteries, and the list of canonized saints has been enriched by over 1,500 Benedictine names.

Our own beloved American poet, Henry Wadsworth Longfellow, has written immortal lines about Monte Cassino, and now that the bricks and mortar and marble have fallen, we are a thousand-fold more grateful to him for preserving for future generations this beautiful description of the calm and noble monument:

And there, uplifted, like a passing cloud
That pauses on a mountain summit high,
Monte Cassino's convent rears its proud
And venerable walls against the sky.
Well I remember how on foot I climbed
The stony pathway leading to its gate;
Above, the convent bells for vespers chimed,
Below, the darkening town grew desolate.
Well I remember the low arch and dark,
The courtyard with its well, the terrace wide,
From which, far down, the valley like a park
Veiled in the evening mists, was dim described.
The day was dying, and with feeble hands
Caressed the mountaintops; the vales between
Darkened; the river in the meadow lands
Sheathed itself as a sword, and was not seen.
The silence of the place was like a sleep,
So full of rest it seemed; each passing tread
Was a reverberation from the deep—
Recesses of the ages that are dead.
For, more than thirteen centuries ago,
Benedict, fleeing from the gates of Rome,
A youth disgusted with its vice and woe,
Sought in these mountain solitudes a home.

He founded here his convent and his rule
Of prayer and work, and counted work as
prayer;
The pen became a clarion, and his school
Flamed like a beacon in the midnight air.

Monte Cassino has survived several destructions. Between 580 and 590 it was pillaged by the Lombards. The monks patiently rebuilt it in 720, and in 884 it was sacked by the Saracens. Seventy years later the "work through prayer" of St. Benedict restored it again. It has been imperiled by political crises as well as wars; indeed, as late as 1867, the monks were nearly expelled and the treasures confiscated by the Italian Government for public sale.

In 1929 Monte Cassino celebrated its fifteenth centennial by building a lighthouse on the roof of the monastery. On February 15 last that lighthouse was extinguished by our bombers—a grievous necessity—and will not soon be lighted again. But the spiritual flame burns all the brighter. As the number of lamps is diminished, the height of the flame is increased. Most of the glories of Monte Cassino were built, and its holy tradition established, during those terrible Dark Ages, when it seemed that the lights of civilization might vanish forever. Today, in the new Dark Ages, let us rededicate ourselves to rebuilding Monte Cassino—all the Monte Cassinos of the world that have suffered through the wrath of man—Coventry and Kiev, Madrid and Ghent and Rotterdam. God willing, we shall in His good time behold a new Monte Cassino arise like the phoenix from the ashes of the old, and it shall be a place of toil and prayer for the new sons of Benedict, who shall teach men the ways of peace and the abundance of the spirit.

"Succisa virescit."

EXTENSION OF REMARKS

Mr. MONKIEWICZ. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record and to include therein resolutions adopted by the annual meeting of the second district of the Polish-American Council, assembled at New Haven, Conn., on February 27, 1944.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to insert in the Record a letter addressed by my colleague the gentleman from Illinois [Mr. SABATH] to the representative of the Polish National Alliance, of Chicago. The letter bears on the Polish-Russian question.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 15 minutes.

CONTRACT TERMINATION SETTLEMENTS

Mr. SIKES. Mr. Speaker, the subject of contract-termination settlements which now looms before the American people is gigantic in proportions. In its possible effect on the national economy

it dwarfs former depressions and the peaks of prosperity of other years as well. The success of peacetime industrial undertakings will be closely bound to the success with which these settlements are made. Counting dollars, manpower, and the taxpayers' interest, it is greater than the aggregate of such elements in all our previous wars combined. The estimates of the probable money value of settlements of war contracts by termination proceedings in the course of the war and following immediately after the cease-firing command have ranged as high as \$100,000,000.

Many war contractors have expanded their facilities to such an extent that cancelation of war contracts without immediate partial payments and speedy settlement of their claims would cause bankruptcy. The freezing of working capital of great numbers of American manufacturers would impede the Nation's rapid reconversion to full employment in peacetime pursuits. The Nation is now geared largely to war production. It cannot suspend war production overnight without very serious dislocations unless an adequate, sensible, speedy plan for contract-termination settlements is in operation.

In order to understand clearly the problem of termination, we must know what is involved in a canceled contract. In the case of the termination of a sizable war contract, a contractor finds himself with (a) hundreds of idle employees, (b) idle plant and equipment, (c) partly finished products which no one wants, (d) raw material which may be of no use to him, (e) work in process consisting possibly of hundreds of thousands of parts in various stages of completion and worth in most instances only what they will bring as scrap, (f) unamortized preproduction expenditures (tooling, and so forth) made in good faith which must be prorated equitably over the finished and unfinished portions of the contract. A great amount of borrowed capital is almost always involved. The plant is usually expanded many times over its normal operating size.

Finding himself with contracts canceled, the contractor must clear his plant of the things which are of no further value in his production program, rearrange and reconvert his facilities to accommodate the production which is to come, hasten through the preproduction and tooling stages as quickly as possible to again put his idle manpower and plant facilities to work. Delays can be ruinous to him. This multiplied many hundreds of times over is a picture of what will happen on V-day. That is why the national economy in the immediate post-war period is directly geared to reconversion.

In order to determine quickly what is a just claim on the part of the contractor in case of termination and in order to permit him to speedily reconvert to other production, it follows that termination procedures must be established to provide for speedy verification of claims and for their prompt settlement to both prime and subcontractors. If this is not done, wholesale unemployment and economic

chaos may be the result. Any legislation which is enacted should stress the quick and equitable settlement of contractors' claims so that industry may speedily reconvert to peacetime pursuits, and not be paralyzed by long drawn-out processes for verification of claims.

The experiences in this field in the First World War are not without their value. By Armistice Day, November 11, 1918, the War Department had entered into contracts aggregating \$22,000,000,000 in value of which 66 percent had been completed. Not a hand had been raised by the Government in preparation for the suddenly called armistice. It fairly telescoped the headlong train of our war economy and for some time business was stunned by the shock. All eyes had been on the war, almost none on the peace. It was not until April 30, 1921, nearly 2½ years later, that practically all war-contract claims recognized by the War Department as deserving had been settled. These totaled 26,000 claims regarded by the Government as deserving, or 84 percent of the 31,000 claims filed.

But when we come to cast up the accounts of contract-termination settlements growing out of World War No. 2, we shall find that it multiplies many times over those of World War No. 1. Already substantially as many contracts have been canceled as were canceled in the whole of World War No. 1, yet we have scarcely reached peak production. It is the huge volume of terminations which will come after peak production that we have to fear. The industrial dislocations, unemployment, and added loads upon the tortured backs of our taxpayers can precipitate an economic crisis of frightful proportions unless terminations are handled in wise and careful fashion. The prospect of a sane approach to and an efficient handling of the problem is, however, brighter than it was in 1918. We are profiting by the experiences of that period, although we realize that the job is many times larger, even in view of the considerable expansion of industry since 1918. Had the entire \$7,500,000,000 of uncompleted products awaiting manufacture under contract November 11, 1918, been consigned to the scrap heap, the country, though hurt, would not have been confronted with disaster. But our ability to survive the ordeal consequent to mismanagement and selfish manipulation of a hundred billion dollars worth of contract terminations following hard on the tremendous financial drains of the present war is questionable. The job is so big that unless we map out a procedure with due caution and with fairness to all concerned, we may find that, having won the war, we so conducted our contract termination settlements that we are unable to enjoy the fruits of victory. They will have turned into Dead Sea apples.

Today the Committee on Military Affairs, of which I have the honor to be a member, finds itself in the role of referee in a contest between major agencies for control of contract-termination settlements. The decision which is rendered may go far toward determining the success of contract-termination settlements

in post-war years. On the one side are the War Department, the Navy Department, the Treasury Department, and the Maritime Commission. They seek to place their war contracting agencies in possession of complete authority with respect to handling contract-termination settlements. On the other side is the Comptroller General as head of the General Accounting Office, created by Congress in 1921 as its representative, who insists that his agency shall have arbitral and final authority in arranging these settlements.

The main ground on which proponents of the contracting agencies base their argument is speed, expedition, dispatch in handling termination settlements. That of the General Accounting Office is providing of safeguards in the handling of public funds. If the proponents of the contracting agencies fail to convince the Congress that they can adjust the claims in materially less time than will be required if the General Accounting Office participates, their case goes by the board. Up to this moment they have failed to convince me. I know that speed is important, but there are other considerations than haste in closing the accounts. I want to know that sufficient heed is given to questions of accuracy, equity, and propriety of claim. Overpayment of contractors may or may not become an issue, but taking chances with the complacent taxpayer on the theory that he will grumble, pay, forgive and forget is already an issue.

I do not want to leave the impression that the proponents of final settlement by the contracting agencies do not have a case. To restate, they ask that settlement of a terminated contract be made by the procurement agency which made the contract and that such settlement be final. Reconversion may easily be speedier under this arrangement and speedy reconversion is important. I quote from a manufacturer's letter:

In order to get production quickly and in incredible volume, Congress authorized the suspension of established safeguards in Government procurement. Contracting officers were given almost unlimited authority to buy. Within a few months an organization was recruited to do a far bigger job of purchasing than was being done by long-established purchasing departments of scores of the world's largest corporations. Naturally the opportunities for fraud, for extravagance, for errors in judgment, and for stupid blunders were vastly greater than ever before. These risks were necessitated by the emergency. If we had not risked wasting a few hundred millions to secure a few hundred billions in valuable ships, planes, munitions, and cantonnements we might today be fighting a defensive war in the Alleghenies and Rockies.

The money loss that might possibly result from swift final settlement of terminated war contracts could not be more than a small fraction of the losses that have already been suffered as a result of emergency procurement. But the need for speed in settling terminated contracts is quite as great as the need for speed in making those contracts. At V-day it will be just as urgent to replace the machines that make munitions with machines that make the products of peace as it was in 1942 to replace the machines of peace with the machines of war.

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This manufacturer is saying that the losses to the Nation's economy may be greater from slow contract termination settlements than losses to the taxpayer from waste or dishonesty which are concealed more readily under speedier processes.

One organization made up of the officials of large industrial concerns wants a contract settlement board established, and says:

We recommend the delegation of clear cut authority to the contracting agencies to make final settlements with contractors within the framework of policies and procedures established by the contract settlement board. Such settlement should not be subject to review by the Office of the Comptroller General.

Certainly this organization, the research committee of the Committee for Economic Development, is frank about it. The Chamber of Commerce of the United States is another organization which has espoused the cause of the contracting agencies, recommending that when the question of terminations arises, those agencies and those alone shall pass on the contracts which they negotiated. The Illinois Manufacturers Association wants the settlement claims "discharged by the particular procurement agency with which the contract was entered into." A number of other industrial concerns and organizations subscribe to similar views. For good or bad, this appears to lead to a condition in which the contracting agencies shall be judge, jury, and prosecuting attorney in passing on the merit of their own work.

Directly counter to the position of the agencies quoted stands the Comptroller General, who in a statement to the House Committee on Military Affairs, on October 18, 1943, declared that the War Department's attitude is "to hell with the General Accounting Office or anyone else who dares to challenge an inept and inefficient contracting officer who is dishing out and giving away the property and money of the United States with reckless abandon. And these are the contracting officers who the War Department insists must have the final and conclusive authority to negotiate contract termination settlements."

The cost-plus process under which procurement and construction programs have been carried on in wartime is substantially a blank-check process. In no sense does it encourage economies. Please do not understand me to question the necessity for obtaining results. But a layman finds himself puzzled and not a little worried when a hundred-million-dollar contract is given for a new, light, fast tank, which, upon being manufactured, turned out to be a medium tank no better than the medium tanks already in production. Thirteen tanks were delivered before Ordnance found out it had made a bad guess and canceled the contracts. But that bad guess is costing the taxpayers some \$35,000,000, to say nothing of irreplaceable time, material, labor, and management. The Pentagon Building, which cost twice the amount authorized by Congress—another unexplained thirty-five millions—has not strengthened our faith in Army economy.

With due regard for the fact that production has been tremendous, and with full respect for the very great part of the Army's personnel which has done the best job it possibly could, I see no sound reason why the people's money should not have the double safeguard which can be provided through the Comptroller General's office. I do not want to see the ugly head of scandal rear up in after years to destroy the great record of this war's production achievements. Some men are weak, even when in uniform. Some are careless. Some are inefficient, even in the high places. Safeguards are as important to them as to the taxpayer.

Not all manufacturers attest to the essentiality of continuation of termination settlements by the contracting agencies. I quote from a letter:

Most of the material we have on the floor now is of absolutely no use to us except for Government contracts, and the experience we have had up to this time is not very encouraging. We had an order cancelled 6 months ago. The material was all fabricated and everybody admits it is worth nothing except scrap, and yet we have not been able to get any action from the Government. We have between 80 and 90 tons of special material on the floor, which not only takes up our floor space but involves an investment in material and labor which we feel justified in asking payment for.

I certainly hope that Congress will take some action to protect those of us who have our money invested in these contracts, in the event of terminations. A great many of us could not convert to civilian business unless the Government paid us promptly for these canceled contracts. I know we are only one of thousands of companies in the same position. The Government should cut out all the red tape that is possible, so that we can take up our civilian business without delay.

The first inkling of what the various departmental contracting agencies, led by the War Department, had in mind with respect to preempting termination settlements came on June 23, 1943, when the first draft of H. R. 3022 was placed before the Committee on Military Affairs. This draft concerned the War Department only, proposing to give to that Department and its delegated authorities unlimited powers in handling contract terminations. The first draft was quickly superseded by the second, which extended the authority to the other three agencies mentioned. Both drafts contained a clause which was galvanic in its effect on the committee, and which prompted the members to searching inquiry and careful study. The clause read "without regard to any provision of law relating to the making," and so forth, of contracts or for advances or loans to contractors. A broader grant of power could not be conceived. It may be mentioned at this point that an attempt had been made to put through Congress without study or hearings the principles of the first H. R. 3022 by way of a rider to the \$71,000,000,000 war appropriation bill, an attempt which was quietly stifled by the able chairman of the committee.

H. R. 3022, as it stands at present, sets up under section 6 a War Contracts Settlement Board, to consist of not less than three and not more than nine members,

who shall be appointed by the Comptroller General of the United States. By explicit wording, the work of this Board should be confined solely and only to the speedy auditing of contract terminations. It is believed that acceptable settlement of claims under the provisions of section 4 of the bill would be still further expedited if a local representative, designated by the Board, should participate with the war contractor and the contracting agency in the consideration of contract termination settlements. Under paragraph (b) of section 6, it may be found possible, without further formality, to designate such local representative. With conferences such as these in operation, wherever contract terminations are being settled, it should not be difficult to agree on amounts to be allowed initially on nonauditable items, such as profits, liquidating damages, depreciation, amortization of engineering expenses, and other items classifiable as intangibles. Section 4 (a), paragraph (1), provides for 100-percent payments of amounts arrived at through these negotiations and these payments can be made immediately, no decision to be reopened except in case of fraud. Paragraph (2) provides for payment to the war contractor of an amount equal to 90 percent of the minimum amount due on all items, with respect to which an agreement is not made under paragraph (1), and the contracting agency must make payment within 30 days after application by the war contractor for payment under this paragraph.

Under such *modus operandi*, plus the guaranteed loan, the contractor claimant would be practically certain of securing, with the minimum of delay, liquid assets amounting to 100 percent of his total claim. The Baruch plan, recently reported for use in contract termination settlements, appears somewhat less favorable both as to application and amount of payment and safeguarding of the taxpayers.

A large number of the proponents of the contracting agencies feel that the General Accounting Office cannot handle the responsibilities outlined because of lack of personnel, unfamiliarity with the questions in dispute or under negotiation, and inability to escape from the strict interpretation of the law. It does not appear, that after 23 years of operation the General Accounting Office will find it difficult to familiarize itself readily with any claims questions to which this Government may find itself a party. As for personnel, the Under Secretary of War, outlining the methods by which termination settlements are now handled says:

By these methods, the negotiators for the Government have available reliable accounting data and other information on which to reach a fair settlement with the contractor. These negotiations are assisted at all stages by Government accounting, engineering, legal, fiscal, and technical personnel, all of whom participate in the negotiations and are consulted where their assistance may be helpful. The settlement eventually reached thus reflects the deliberations and advice of many different Government representatives, each

a specialist in some particular field. * * * For each termination settlement appropriate records are kept of all important steps in the negotiations and all important actions by the contracting officers in order to indicate the essential data on which the negotiations were based.

However the apparent negation of this statement is taken from Procurement Regulation No. 15, which lays down the procedure to be observed by contracting officers in dealing with termination settlements. Subparagraph 5 reads as follows:

Government accounting personnel will prepare a report containing their comments and recommendations and computations made on the bases hereinafter mentioned of the indicated equitable negotiated settlement of the uncompleted portion of the contract. This report and the recommendations and computations made in it will not bind or control the discretion of the contracting officer in negotiating such settlement.

Throughout the entire pamphlet, which is exhaustive, it is made manifest that the contracting officer possesses in nearly every instance plenary power to deal with contract terminations as he sees fit, and the accounting and other personnel at his beck and call may be used or not, consulted or not, heeded or not, just as he may determine. But if this personnel were, by enactment, directed to report to, or work with, General Accounting Office personnel, its labor would never be in vain and it could materially speed—rather than delay—the day of final accounting.

That the Comptroller is willing to cooperate is evidenced by his remarks at a committee hearing in October. He said:

If the Congress should decide in legislation of this question to chart the way for war-contract-termination settlements to include an examination and final settlement by the General Accounting Office, we would anticipate setting up a system after consultation with the departments which would bring those matters immediately to the General Accounting Office before the contracting officer acts finally and, of course, before they go to any disbursing officer for payment.

And his assistant, Mr. Francis Yates, when asked by the committee:

Could you do it in the time the Army now does it or in quicker time? That is what we are interested in.

Replied:

I believe that if the Congress will clearly chart the way, we can get together with the Army and other war contracting agencies and map out a program which will not only enable the contracting departments to do their work quicker than they are doing it now, but also enable the whole job to be done, including the part played by the General Accounting Office, quicker than the present time required.

Again to quote the Comptroller General, Hon. Lindsay Warren:

You should not permit the war contracting agencies to make final settlement for war contract termination claims. There should be a review of such large and important settlements by an independent agency. The Congress has such an independent agency. It is the General Accounting Office. Its head, the Comptroller General, is the agent of Congress. It is the only truly indepen-

dent office in the entire Government whose duties pertain to the checking of Government expenditures. It has no friends to reward or enemies to punish. We are strictly nonpolitical. Careful and efficient administrators in the Government welcome our audits and our inspections and give us full cooperation. It is only those who desire no restraint and who try to circumvent the Congress who desire to escape our supervision. The enormity of the task has been fully considered and the possibility of establishing with adequate funds a special staff equipped to do the job has also been considered. We can and will do this termination job if it is the will of Congress. We will have no alibis if we fail.

Mr. Speaker, I am convinced that the vast majority of contractors and contracting officers are actuated by honorable motives. But just as a petroleum scandal will besmirch an entire administration, so can the dishonesty of a very few officials cast suspicion upon the entire structure of contract-termination settlements. I seek protection for that vast majority whom no breath of scandal should taint, and I seek protection for the taxpayer who must pay the bill down through the generations.

I fail to understand why the War Department should desire to undertake the sole responsibility of contract-termination settlements. I can understand the Comptroller General's solicitude for tax-paying America. It is a solicitude which I, too, share, and for that reason I favor the lodgment of final authority in handling contract-termination settlements in the office of the Comptroller General, the General Accounting Office. That is the purpose for which that office was created. I have studied this subject exhaustively. I find no material reason why contract termination settlements cannot be made quickly and safely to the advantage of business and the protection of the taxpayer if the General Accounting Office is brought into the picture. And I so recommend.

EXTENSION OF REMARKS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the services of our late colleague, the gentleman from New York, Mr. O'Leary.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2836. An act to grant increases in compensation to substitute employees in the Postal Service, and for other purposes.

ADJOURNMENT

Mr. STARNES of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 22, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

Hearings will be continued on H. R. 2426 in the Roads Committee room, 1011 New House Office Building, at 10 a. m., Wednesday, March 22, 1944.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will continue its hearings on House Joint Resolution 148 (joint resolution to permit the diversion of waters from Lake Michigan to safeguard the public health) on March 22, 1944, at 10:30 a. m.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Subcommittee on Shipyard Profits will meet in open hearing on Wednesday, March 22, 1944, at 10:30 a. m.

COMMITTEE ON PATENTS

The Committee on Patents will hold an executive meeting on Thursday, March 23, 1944, at 10:30 a. m., to further consider H. R. 2994.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads on Thursday, March 23, 1944, at 10:30 a. m., to consider H. R. 1565, relating to the appointment of postmasters; and H. R. 3688, to change the name of "watchman" in the Postal Service to that of "post-office guard." Hearings will be had.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1319. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to convey to the Virginian Railway Co., a corporation, for railroad yard enlargement purposes, a parcel of land of the Camp Allen Reservation at Norfolk, Va.; to the Committee on Naval Affairs.

1320. A letter from the Acting Secretary of the Interior, transmitting one certified copy each of various ordinances enacted by the Public Service Commission of Puerto Rico, granting to the sugar companies and mills listed, the right to engage in the manufacture and processing of raw sugar; to the Committee on Insular Affairs.

1321. A letter from the secretary, National Advisory Committee for Aeronautics, transmitting a copy of quarterly estimate of personnel requirements for the National Advisory Committee for Aeronautics for period ending June 30, 1944, together with copy of letter of transmittal to the Director of the Bureau of the Budget; to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TARVER: Committee on Appropriations. H. R. 4443. A bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes; without amendment (Rept. No. 1271). Referred to the Committee of the Whole House on the state of the Union.

Mr. LESINSKI: Committee on Invalid Pensions. S. 662. An act to authorize pensions for certain physically or mentally helpless children, and for other purposes; without amendment (Rept. No. 1273). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 4444. A bill to express the intent of the Congress with reference to the regulation of the business of insurance; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 4445. A bill to authorize temporary appointment as officers in the Army of the United States of members of the Army Nurse Corps, female persons having the necessary qualifications for appointment in such corps, female dietetic and physical therapy personnel of the Medical Department of the Army (exclusive of students and apprentices), and female persons having the necessary qualifications for appointment in such department as female dietetic or physical therapy personnel, and for other purposes; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas:

H. R. 4446. A bill to exempt certain officers and employees within the Office of Scientific Research and Development from certain provisions of the Criminal Code; to the Committee on the Judiciary.

By Mr. ALLEN of Louisiana:

H. R. 4447. A bill to authorize the erection of a United States veterans' hospital for neuropsychiatric cases in the State of Louisiana; to the Committee on World War Veterans' Legislation.

By Mr. DOMENGEAUX:

H. R. 4448. A bill to provide for free Government inspection of sea food; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 4449 (by request). A bill to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; to the Committee on the District of Columbia.

By Mr. SUMNERS of Texas:

H. R. 4450. A bill to enable intervention by a State in any suit in any court of the United States, in which it has an interest, involving the constitutionality, construction, or application of an act of Congress or an act of a State; to the Committee on the Judiciary.

By Mr. LUDLOW:

H. J. Res. 256. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1944, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

H. J. Res. 257. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, protest-

ing against the recent change made by the selective-service authority in changing the number of units that a farmer must produce in order to defer a farm worker; to the Committee on Military Affairs.

Also, memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to describe whatever may be necessary for the purposes of continuing the system of food distribution in Puerto Rico; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to pass a law enabling the ceiling prices on flour spar to be increased; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States to adopt legislation to provide counties, cities, and towns with compensation in lieu of taxes lost by reason of acquisition of property by the Federal Government; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States to enact legislation providing for reasonable compulsory military service by citizens of the United States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD:

H. R. 4451. A bill for the relief of John McLaughlin, Sr., and John McLaughlin, Jr.; to the Committee on Claims.

By Mr. DOMENGEAUX:

H. R. 4452. A bill for the relief of Lt. (T) P. J. Voorhis; to the Committee on Claims.

By Mr. GOODWIN:

H. R. 4453. A bill for the relief of William H. Rouncevill; to the Committee on Military Affairs.

By Mr. HAYS:

H. R. 4454. A bill for the relief of W. P. Dodds; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5288. By Mr. BRYSON: Petition of Mrs. Don Wilson and 105 other citizens of Mansfield, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5289. Also, petition of George M. Osborne and 133 other citizens of Hurlock, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5290. Also, petition of Rev. Lowell M. Atkinson and 31 other citizens of Aberdeen, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for

the duration of the war; to the Committee on the Judiciary.

5291. Also, petition of Violet T. Black and 114 other citizens of Dallas, Wis., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5292. Also, petition of Mrs. G. A. Shackelford and 73 other citizens of Stockton, Calif., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5293. Also, petition of Annie L. Hahn and 65 other citizens of Eaton, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5294. Also, petition of Rev. Paul E. Westburg and 78 other citizens of Buffalo, N. Y., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5295. Also, petition of Mrs. G. A. Lyford and 48 other citizens of Copan, Okla., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5296. Also, petition of Mrs. Chrissy Jones and 606 other citizens of Loma Linda, Calif., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5297. Also, petition of Floyd B. Vane and 63 other citizens of Baltimore, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the

manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5298. Also, petition of Mrs. S. Stearns and 128 other citizens of Pierson, Iowa, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5299. Also, petition of Rev. Merritt Earl and 65 other citizens of Baltimore, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5300. Also, petition of Thomas H. Clapper and 60 other citizens of Denton, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5301. Also, petition of Mrs. Percy M. Smith and 146 other citizens of Birmingham, Ala., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5302. By Mr. CARTER: Petition of Sandra Martin and 576 members of the United Electrical Radio and Machine Workers of America, Local 1412, Oakland, Calif., urging the immediate enactment of the soldier-vote bill, which will allow the Federal Government to make it easily possible for members of our armed forces to vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

5303. By Mr. GRAHAM: Petition of 208 members of the Methodist Church of West Bridgewater, Pa., urging the passage of House bill 2082, making unlawful the manufacture, sale, or transportation within the United States of alcoholic beverages for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

5304. Also, petition of the Beaver Valley Holiness Association of Beaver County, Pa., representing approximately 200 persons, urging the passage of House bill 2082, making unlawful the manufacture, sale, or transpor-

tation within the United States of alcoholic beverages for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

5305. By Mr. HEIDINGER: Communication signed by C. Don Betebecker and 29 others of the West Salem Community High School, West Salem, Ill., favoring an amendment to the Constitution to provide for the election of President and Vice President by popular vote; to the Committee on the Judiciary.

5306. By Mr. JEFFREY: Petition of Arminda Phillips and 30 other citizens of Dayton, Ohio, favoring House bill 2082, the Bryson bill; to the Committee on the Judiciary.

5307. By Mr. JONKMAN: Petition of the members of the Girls Society of Hope Christian Reformed Church, Grandville, Mich., recommending enactment of House bill 2082; to the Committee on the Judiciary.

5308. By Mr. MYERS: Petition of sundry citizens of Philadelphia, Pa., protesting against the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

5309. By Mr. SCHIFFLER: Petition of Ira C. Shafer, commander, Charles Millan Post, No. 40, Inc., American Legion, and a number of citizens of Mannington, W. Va., and vicinity, urging the passage of House bill 4357 and Senate bill 1767, cited as the Servicemen's Aid Act of 1944; to the Committee on World War Veterans' Legislation.

5310. By Mrs. SMITH of Maine: Petition of Rev. John D. Thomas and other citizens of Skowhegan, Maine, urging action on House bill 2082 to reduce absenteeism and better protect our servicemen; to the Committee on the Judiciary.

5311. By Mr. VORYS of Ohio: Petition of Myers C. Ackerman and 196 other residents of Franklin County, Ohio, protesting against the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

5312. By the SPEAKER: Petition of Abraham Rosenberg, of Brooklyn, N. Y., petitioning consideration of the resolution with reference to our civil rights; to the Committee on the Judiciary.

5313. Also, petition of Howard E. Campbell, president, Pittsburgh Real Estate Board, Pittsburgh, Pa., petitioning consideration of their resolution with reference to their opposition to the further construction of public housing by local and Federal governments, and their recommendation that present public housing be disposed of to private owners; to the Committee on Public Buildings and Grounds.

5314. Also, petition of the administrative secretary, United Federal Workers of America, Local No. 10, Washington, D. C., petitioning consideration of their resolution with reference to urging rejection of the McKellar rider to the Senate independent offices appropriations bill; to the Committee on Appropriations.